S/INF/60

United Nations

Resolutions and Decisions of the Security Council

1 August 2004 – 31 July 2005

Security Council
Official Records

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NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2004 to 31 July 2005, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the period under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decisions.

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Membership of the Security Council in 2004 and 2005

In 2004 and 2005, the membership of the Security Council was as follows:

2004

Algeria
Angola
Benin
Brazil
Chile
China
France
Germany
Pakistan
Philippines
Romania
Russian Federation
Spain
United Kingdom of Great Britain and Northern Ireland
United States of America

2005

Algeria
Argentina
Benin
Brazil
China
Denmark
France
Greece
Japan
Philippines
Romania
Russian Federation
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America

Resolutions adopted and decisions taken by the Security Council from 1 August 2004 to 31 July 2005

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[1]

Decisions

At its 5017th meeting, on 5 August 2004, the Security Council decided to invite the representatives of Albania, Japan, the Netherlands and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/613)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 5089th meeting, on 29 November 2004, the Council decided to invite the representatives of Albania, Japan, the Netherlands, Norway, Serbia and Montenegro and Switzerland to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/907)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

At its 5130th meeting, on 24 February 2005, the Council decided to invite the representatives of Albania, Luxembourg and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2005/88)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

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[1] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

At its 5188th meeting, on 27 May 2005, the Council decided to invite the representatives of Albania, Luxembourg, Serbia and Montenegro, Switzerland and Ukraine to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2005/335 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

On 2 June 2005, the President of the Security Council addressed the following letter to the Secretary-General:[2]

> "I have the honour to inform you that your letter dated 27 May 2005,[3] in which you stated your intention to appoint Mr. Kai Eide as your Special Envoy to undertake a comprehensive review of Kosovo, has been brought to the attention of the members of the Security Council, who have taken note of it."

B. The situation in Bosnia and Herzegovina[4]

Decisions

At its 5075th meeting, on 11 November 2004, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Japan and the Netherlands to participate, without vote, in the discussion of the item entitled:

> "The situation in Bosnia and Herzegovina
>
> > "Letter dated 8 October 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/807)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Lord Ashdown, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

Upon resumption of the meeting, on 11 November 2004, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jaap de Hoop Scheffer, Secretary General of the North Atlantic Treaty Organization.

At its 5085th meeting, on 22 November 2004, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

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[2] S/2005/365.

[3] S/2005/364.

[4] Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.

Resolution 1575 (2004)
of 22 November 2004

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003 and 1551 (2004) of 9 July 2004,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[5] as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551 (2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational Stabilization Force, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Taking note of the reports of the High Representative, including his latest report, of 6 October 2004,[6]

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[7] and the statement by its President of 9 February 2000,[8]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Recalling the decisions set out in paragraph 8 of the communiqué of the summit of the North Atlantic Treaty Organization held in Istanbul, Turkey, on 28 June 2004, which refers to the intention of the Organization to conclude the Stabilization Force operation in Bosnia and Herzegovina by the end of 2004 and to establish a headquarters of the Organization in Sarajevo that will constitute its residual military presence,

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[5] S/1995/999, annex.

[6] See S/2004/807.

[7] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[8] S/PRST/2000/4.

Recalling also that in resolution 1551 (2004) the Security Council took note of the intention of the European Union to launch a European Union mission to Bosnia and Herzegovina, including a military component, from December 2004, under the terms set out in the letter dated 29 June 2004 from the Minister for Foreign Affairs of Ireland and President of the Council of the European Union to the President of the Security Council,[9]

Taking note of the letters between the European Union and the North Atlantic Treaty Organization, sent to the Security Council on 19 November 2004, on how those organizations will cooperate together in Bosnia and Herzegovina,[10] in which both organizations recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement,

Taking note also of the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for the European Union Force and the North Atlantic Treaty Organization headquarters presence,[11]

Welcoming, in the light of the forthcoming European Union mission, the increasing engagement in Bosnia and Herzegovina of the European Union,

Welcoming also tangible signs of Bosnia and Herzegovina's progress towards European integration,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

I

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[5] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[12] and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of

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[9] S/2004/522, annex.

[10] See S/2004/915 and S/2004/916.

[11] See S/2004/917.

[12] S/1995/1021, annex.

this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;[13]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms its intention* to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations that those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

7. *Acknowledges* the support of the authorities of Bosnia and Herzegovina for the European Union Force and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with its resolution 1088 (1996), and expresses its appreciation of their efforts and achievements in Bosnia and Herzegovina;

9. *Welcomes* the intention of the European Union to launch a European Union military operation to Bosnia and Herzegovina from December 2004;

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for an initial planned period of twelve months a multinational stabilization force, the European Union Force, as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization headquarters presence in accordance with the arrangements agreed between the Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004,[10] which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to conclude the Stabilization Force operation in Bosnia and Herzegovina by the end of 2004 and to maintain a presence in Bosnia and Herzegovina through the establishment of a headquarters of the

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[13] See S/1997/979, annex.

Organization in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force, and authorizes the Member States acting through or in cooperation with the Organization to establish a headquarters of the Organization as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force in accordance with the arrangements agreed between the Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Recognizes* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall henceforth be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure implementation of those annexes and the protection of the Force and the Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization headquarters, in defence of the Force or the Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the Force and the Organization presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force, the North Atlantic Treaty Organization presence, and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Security Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[14] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.

Adopted unanimously at the 5085th meeting.

Decisions

At its 5147th meeting, on 23 March 2005, the Security Council decided to invite the representatives of Bosnia and Herzegovina and Luxembourg to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 10 March 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/156)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Lord Ashdown, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

THE SITUATION IN CÔTE D'IVOIRE[15]

Decisions

At its 5018th meeting, on 5 August 2004, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[16]

> "The Security Council welcomes the signing, on 30 July 2004 at Accra, by the President of the Republic of Côte d'Ivoire, Mr. Laurent Gbagbo, the Prime Minister of the Government of National Reconciliation, Mr. Seydou Elimane Diarra, and all the political forces of Côte d'Ivoire, of an agreement ("the Accra III Agreement")[17] that consolidates the implementation of the Linas-Marcoussis process. The Council recalls that it endorsed the Linas-Marcoussis Agreement.[18] It welcomes the resolute commitment of the African Heads of State and Government, in particular of the Chairman of the Economic Community of West African States, Mr. John Agyekum Kufuor, President of the Republic of Ghana, and the Chairperson of the African Union, Mr. Olusegun Obasanjo, President of the Federal Republic of Nigeria, as well as of the Secretary-General of the United Nations and the other

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[14] See S/1996/1012, annex.

[15] Resolutions or decisions on this question were also adopted by the Security Council in 2002, 2003 and during the period from 1 January to 31 July 2004.

[16] S/PRST/2004/29.

[17] S/2004/629, annex.

[18] S/2003/99, annex I.

participants in the summit held in Accra on 29 and 30 July 2004, thanks to which the conclusion of the Accra III Agreement was made possible.

"The Council welcomes the spirit of dialogue and responsibility shown by President Gbagbo and each of the Ivorian parties, who have clearly demonstrated their willingness to lead the political process in Côte d'Ivoire to its completion. It welcomes the concrete measures agreed upon by the signatories to the Accra III Agreement with a view to facilitating the full and comprehensive implementation of the Linas-Marcoussis Agreement and because of the serious threats, caused by the continuing crisis, which persist against the territorial integrity of Côte d'Ivoire. It urges the parties to adhere strictly to the deadlines that have been fixed, in particular to settle the issue of eligibility for the Presidency of the Republic and to begin disarmament, in accordance with the Linas-Marcoussis Agreement, for all paramilitary groups and militias and disband disruptive youth groups.

"The Council urges all parties to implement in good faith, without delays or preconditions, the obligations they have undertaken in signing the Accra III Agreement. It calls upon them, in particular, to remain committed so that open, free and transparent elections can be held, as agreed, before the end of 2005. It reaffirms its complete readiness to take any appropriate measure against individuals who impede the full implementation of the Linas-Marcoussis Agreement.

"The Council takes note with profound concern of the preliminary results of the investigation led by the United Nations Operation in Côte d'Ivoire of the massacres that occurred in Korhogo. It reiterates its firm condemnation of all atrocities and violations of human rights and international humanitarian law committed in Côte d'Ivoire and in particular those that occurred in Abidjan on 25 and 26 March 2004. It reiterates its full support to the international commission of inquiry put in place by the United Nations High Commissioner for Human Rights in order to establish the facts and circumstances of the perpetration of violations of human rights and international humanitarian law which have occurred in Côte d'Ivoire since 19 September 2002, and, as far as possible, to identify their authors. It recalls that all persons responsible for such violations will be brought to justice. It encourages the Ivorian parties to establish without further delay, in accordance with the commitment they have undertaken, the National Human Rights Commission provided for in the Linas-Marcoussis Agreement.

"The Council expresses its intention to continue to follow closely developments in the situation in Côte d'Ivoire and the implementation of the Linas-Marcoussis Agreement. It emphasizes in this regard the importance of the follow-up mechanism and looks forward to the regular reports provided for in the Accra III Agreement of 30 July 2004. In this regard, the Council requests the Secretary-General to keep it regularly informed of the implementation of commitments under the Accra III Agreement."

At its 5072nd meeting, on 6 November 2004, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[19]

"The Security Council condemns the attack against French forces in Bouaké on 6 November 2004 that resulted in fatalities and other casualties, as well as the fatal air strikes in the north by the national armed forces of Côte d'Ivoire, as violations of the ceasefire agreement of 3 May 2003.

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[19] S/PRST/2004/42.

"The Council further condemns any effort by any party to send forces through the Zone of Confidence.

"The Council demands the immediate cessation of all military operations by all Ivorian parties and full compliance with the ceasefire agreement of 3 May 2003.

"The Council expresses its full support for the action undertaken by French forces and the United Nations Operation in Côte d'Ivoire.

"The Council confirms that French forces and the United Nations Operation in Côte d'Ivoire are authorized to use all necessary means to carry out fully their mandate in accordance with its resolution 1528 (2004) of 27 February 2004. It confirms also that the United Nations Operation in Côte d'Ivoire, within its capabilities and areas of deployment, is authorized to prevent any hostile action, in particular within the Zone of Confidence.

"The Council strongly recalls the obligations of all Ivorian parties, the Government of Côte d'Ivoire as well as the Forces nouvelles, to refrain from any violence against civilians and to cooperate fully with the activities of the United Nations Operation in Côte d'Ivoire. The Council firmly reminds all parties of the need to guarantee the security and freedom of movement of all United Nations personnel.

"The Council intends to examine rapidly further actions, including individual measures to be taken."

At its 5078th meeting, on 15 November 2004, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

Resolution 1572 (2004)
of 15 November 2004

The Security Council,

Recalling its resolution 1528 (2004) of 27 February 2004, as well as the relevant statements by its President, in particular those of 5 August[16] and 6 November 2004,[19]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[18] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, and the agreement signed at Accra on 30 July 2004 (the Accra III Agreement),[17]

Deploring the resumption of hostilities in Côte d'Ivoire and the repeated violations of the ceasefire agreement of 3 May 2003,

Deeply concerned by the humanitarian situation in Côte d'Ivoire, in particular in the northern part of the country, and by the use of the media, in particular radio and television broadcasts, to incite hatred and violence against foreigners in Côte d'Ivoire,

Strongly recalling the obligations of all Ivorian parties, the Government of Côte d'Ivoire as well as the Forces nouvelles, to refrain from any violence against civilians, including against foreign citizens, and to cooperate fully with the activities of the United Nations Operation in Côte d'Ivoire,

Welcoming the ongoing efforts of the Secretary-General, the African Union and the Economic Community of West African States towards re-establishing peace and stability in Côte d'Ivoire, *Determining* that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the air strikes committed by the national armed forces of Côte d'Ivoire, which constitute flagrant violations of the ceasefire agreement of 3 May 2003, and demands that all Ivorian parties to the conflict, the Government of Côte d'Ivoire as well as the Forces nouvelles, fully comply with the ceasefire;

2. *Reiterates its full support* for the action undertaken by the United Nations Operation in Côte d'Ivoire and French forces in accordance with their mandate under its resolution 1528 (2004) and with the statement by its President of 6 November 2004;[19]

3. *Emphasizes again* that there can be no military solution to the crisis and that the full implementation of the Linas-Marcoussis Agreement[18] and the Accra III Agreement[17] remains the only way to resolve the crisis persisting in the country;

4. *Urges*, as a consequence, the President of the Republic of Côte d'Ivoire, the heads of all the Ivorian political parties and the leaders of the Forces nouvelles immediately to begin resolutely implementing all the commitments they have made under those agreements;

5. *Expresses its full support* for the efforts of the Secretary-General, the African Union and the Economic Community of West African States, and encourages them to continue these efforts in order to relaunch the peace process in Côte d'Ivoire;

6. *Demands* that the Ivorian authorities stop all radio and television broadcasting inciting hatred, intolerance and violence, requests the United Nations Operation in Côte d'Ivoire to strengthen its monitoring role in this regard, and urges the Government of Côte d'Ivoire and the Forces nouvelles to take all necessary measures to ensure the security and safety of civilian persons, including foreign nationals and their property;

7. *Decides* that all States shall, for a period of thirteen months from the date of adoption of the present resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire from their territories or by their nationals, or using their flag vessels or aircraft, of arms or any related materiel, in particular military aircraft and equipment, whether or not these originated in their territories, as well as the provision of any assistance, advice or training related to military activities;

8. *Decides also* that the measures imposed by paragraph 7 above shall not apply to:

(*a*) Supplies and technical assistance intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire and the French forces supporting them;

(*b*) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as approved in advance by the Committee established pursuant to paragraph 14 below;

(*c*) Supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

(*d*) Supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee established pursuant to paragraph 14 below;

(*e*) Supplies of arms and related materiel and technical training and assistance intended solely for the support of or use in the process of restructuring defence and security forces pursuant to paragraph 3 (*f*) of the Linas-Marcoussis Agreement, as approved in advance by the Committee established pursuant to paragraph 14 below;

9. *Decides further* that all States shall take the necessary measures, for a period of twelve months, to prevent the entry into or transit through their territories of all persons designated by the Committee established pursuant to paragraph 14 below who constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements, any other person determined to be responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire on the basis of relevant information, any other person who publicly incites hatred and violence, and any other person determined by the Committee to be in violation of the measures imposed by paragraph 7 above, provided that nothing in the present paragraph shall oblige a State to refuse entry into its territory to its own nationals;

10. *Decides* that the measures imposed by paragraph 9 above shall not apply where the Committee established pursuant to paragraph 14 below determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would further the objectives of the resolutions of the Council, for peace and national reconciliation in Côte d'Ivoire and stability in the region;

11. *Decides also* that all States shall, for the same period of twelve months, freeze immediately the funds, other financial assets and economic resources that are in their territories on the date of adoption of the present resolution or at any time thereafter, that are owned or controlled directly or indirectly by the persons designated pursuant to paragraph 9 above by the Committee established pursuant to paragraph 14 below, or that are held by entities owned or controlled directly or indirectly by any persons acting on their behalf or at their direction, as designated by the Committee, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons within their territories to or for the benefit of such persons or entities;

12. *Decides further* that the provisions of paragraph 11 above do not apply to funds, other financial assets and economic resources:

(*a*) That have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee established pursuant to paragraph 14 below of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification;

(*b*) That have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(*c*) That have been determined by relevant States to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement, provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 11 above or an individual or entity identified by the Committee, and has been notified by the relevant States to the Committee;

13. *Decides* that, at the end of a period of thirteen months from the date of adoption of the present resolution, the Security Council shall review the measures imposed by paragraphs 7, 9 and 11 above, in the light of progress accomplished in the peace and national reconciliation process in Côte d'Ivoire as defined by the Linas-Marcoussis and Accra III Agreements, and expresses its readiness to consider the modification or termination of those measures before the aforesaid period of thirteen months only if the Linas-Marcoussis and Accra III Agreements have been fully implemented;

14. *Decides also* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (the Committee), to undertake the following tasks:

(*a*) To designate the individuals and entities subject to the measures imposed by paragraphs 9 and 11 above, and to update that list regularly;

(*b*) To seek from all States concerned, and particularly those in the region, information regarding the actions taken by them to implement the measures imposed by paragraphs 7, 9 and 11 above, and whatever further information it may consider useful, including by providing them with an opportunity to send representatives to meet with the Committee to discuss in more detail any relevant issues;

(*c*) To consider and decide upon requests for the exemptions set out in paragraphs 8, 10 and 12 above;

(*d*) To make relevant information publicly available through appropriate media, including the list of persons referred to in subparagraph (*a*) above;

(*e*) To promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 11 and 12 above;

(*f*) To present regular reports to the Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 7, 9 and 11 above;

15. *Requests* all States concerned, in particular those in the region, to report to the Committee, within ninety days of the date of adoption of the present resolution, on the actions they have taken to implement the measures imposed by paragraphs 7, 9 and 11 above, and authorizes the Committee to request whatever further information it may consider necessary;

16. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties, to cooperate fully with the Committee, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 above;

17. *Expresses its determination* to consider without delay further steps to ensure the effective monitoring and implementation of the measures imposed by paragraphs 7, 9 and 11 above, in particular the establishment of a panel of experts;

18. *Requests* the Secretary-General to submit a report to the Council by 15 March 2005, drawing on information from all relevant sources, including the Government of National Reconciliation in Côte d'Ivoire, the United Nations Operation in Côte d'Ivoire, the Economic Community of West African States and the African Union, on progress made towards the goals described in paragraph 13 above;

19. *Decides* that the measures imposed by paragraphs 9 and 11 above shall enter into force on 15 December 2004, unless the Council shall determine before then that the signatories to the Linas-Marcoussis and Accra III Agreements have implemented all their commitments under the Accra III Agreement and are embarked towards full implementation of the Linas-Marcoussis Agreement;

20. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5078th meeting.

Decisions

At its 5103rd meeting, on 16 December 2004, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[20]

"The Security Council commends the efforts made by the African Union and, in particular, the personal involvement of Mr. Thabo Mbeki, President of the Republic of South Africa, to promote dialogue and relaunch the peace and national reconciliation process in Côte d'Ivoire. It expresses its full support for the facilitation mission undertaken by President Mbeki on behalf of the African Union.

"The Council welcomes the encouraging prospects resulting from these efforts and the commitments made by all Ivorian parties, demands that all Ivorian parties fully comply with their commitments, and underlines that it will monitor with vigilance their full implementation.

"The Council reaffirms its conviction that the full implementation of resolution 1572 (2004) is a key element in ensuring that all Ivorian parties commit themselves fully to the implementation of the peace and national reconciliation process in Côte d'Ivoire, and deplores the fact that the signatories to the Linas-Marcoussis Agreement[18] and the Accra III Agreement[17] have not implemented by 15 December 2004 all their commitments under the Accra III Agreement.

"The Council underlines that any failure by any Ivorian party to respect its commitments made to President Mbeki would constitute a threat to the implementation of the peace and national reconciliation process as defined in the Linas-Marcoussis and Accra III Agreements, and recalls in this regard the measures referred to in paragraphs 9 and 11 of resolution 1572 (2004).

"The Council requests the Committee established pursuant to resolution 1572 (2004) to continue its work, taking fully into account the developments in the peace process in Côte d'Ivoire arising from the facilitation efforts undertaken by the African Union.

"In addition, the Council demands that all Ivorian parties stop all incitement to violence and hatred in broadcast, written and other media, and calls upon the Committee to monitor this closely without delay.

"The Council also demands that all Ivorian parties ensure freedom of the press and unlimited access to information throughout Côte d'Ivoire.

"The Council expresses its intention to consider without delay further steps to ensure the effective monitoring and implementation of the arms embargo imposed by resolution 1572 (2004).

"The Council expresses its appreciation to the Special Representative of the Secretary-General for Côte d'Ivoire, Mr. Albert Tevoedjre, for his unsparing efforts to support the restoration of a durable peace in Côte d'Ivoire under challenging circumstances."

At its 5118th meeting, on 1 February 2005, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

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[20] S/PRST/2004/48.

Resolution 1584 (2005)
of 1 February 2005

The Security Council,

Recalling its resolutions 1528 (2004) of 27 February 2004 and 1572 (2004) of 15 November 2004, as well as the relevant statements by its President, in particular those of 5 August,[18] 6 November[19] and 16 December 2004,[20]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[16] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, and the agreement signed at Accra on 30 July 2004 (the Accra III Agreement),[17]

Deploring once again the repeated violations of the ceasefire agreement of 3 May 2003,

Strongly recalling the obligations of all Ivorian parties, the Government of Côte d'Ivoire as well as the Forces nouvelles, to comply fully with the ceasefire agreement of 3 May 2003, to refrain from any violence, in particular against civilians, including foreign citizens, and to cooperate fully with the activities of the United Nations Operation in Côte d'Ivoire,

Welcoming the efforts of the Secretary-General, the African Union and the Economic Community of West African States towards re-establishing peace and stability in Côte d'Ivoire, and reaffirming in this regard its full support to the ongoing facilitation mission undertaken by Mr. Thabo Mbeki, President of the Republic of South Africa, on behalf of the African Union,

Welcoming also the decision of the Peace and Security Council of the African Union on Côte d'Ivoire taken on 10 January 2005 in Libreville, and noting its communiqué issued on that occasion,[21]

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* its decision in paragraph 7 of resolution 1572 (2004) that all States, particularly those bordering Côte d'Ivoire, shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire of arms or any related materiel as well as the provision of any assistance, advice or training related to military activities;

2. *Authorizes* the United Nations Operation in Côte d'Ivoire and the French forces supporting it, within their capacity and without prejudice to their mandate set out in resolution 1528 (2004) and paragraph 3 below:

(*a*) To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004), in cooperation with the group of experts referred to in paragraph 7 below, and, as appropriate, with the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and Governments concerned, including by inspecting, as they deem it necessary and, as appropriate, without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire;

(*b*) To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and to dispose of such arms and related materiel as appropriate;

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[21] S/2005/29, annex.

3. *Requests* the French forces supporting the United Nations Operation in Côte d'Ivoire, in addition to their mandate set out in resolution 1528 (2004), to provide, as appropriate, security assistance to the United Nations Operation in Côte d'Ivoire in carrying out the tasks set out in paragraph 2 above;

4. *Acknowledges* that the appropriate civilian expertise within the United Nations Operation in Côte d'Ivoire is needed to fulfil the tasks set out in paragraph 2 above, to the extent that no additional resources are required;

5. *Demands* that all Ivorian parties, including the Government of Côte d'Ivoire and the Forces nouvelles, provide unhindered access, particularly to equipment, sites and installations referred to in paragraph 2 above, to the United Nations Operation in Côte d'Ivoire and French forces supporting it to enable them to carry out the tasks set out in paragraphs 2 and 3 above;

6. *Requests* the Secretary-General and the Government of France to report immediately to the Security Council, through the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004) (the Committee), any hindrance or difficulty in implementing the tasks described in paragraph 2 (*b*) above, so that the Council can consider all appropriate measures against any individual or group that hinders the implementation of those tasks;

7. *Requests* the Secretary-General, in consultation with the Committee, to create, as referred to in paragraph 17 of resolution 1572 (2004), within thirty days of the date of adoption of the present resolution, and for a period of six months, a group of experts consisting of no more than three members (the Group of Experts), having the necessary skills to perform the following mandate:

(*a*) To examine and analyse information gathered by the United Nations Operation in Côte d'Ivoire and the French forces in the context of the monitoring mandate set out in paragraph 2 above;

(*b*) To gather and analyse all relevant information in Côte d'Ivoire, in countries of the region and, as necessary, in other countries, in cooperation with the Governments of those countries, on flows of arms and related materiel, and provision of assistance, advice or training related to military activities, as well as networks operating in violation of the measures imposed by paragraph 7 of resolution 1572 (2004);

(*c*) To consider and recommend, where appropriate, ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the measures imposed by paragraph 7 of resolution 1572 (2004);

(*d*) To report to the Council in writing within ninety days of its establishment, through the Committee, on the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004), with recommendations in this regard;

(*e*) To keep the Committee regularly updated on its activities;

(*f*) To exchange with the United Nations Operation in Côte d'Ivoire and the French forces, as appropriate, information that might be of use in fulfilling its monitoring mandate set out in paragraph 2 above;

(*g*) To provide the Committee in its reports with a list, with supporting evidence, of those found to have violated the measures imposed by paragraph 7 of resolution 1572 (2004), and those found to have supported them in such activities, for possible future measures by the Council;

(*h*) To cooperate with other relevant groups of experts, in particular the group of experts on Liberia established pursuant to resolutions 1521 (2003) of 22 December 2003 and 1579 (2004) of 21 December 2004;

8. *Calls upon* the Government of Côte d'Ivoire and the Forces nouvelles, specifically their armed forces, to cooperate with the United Nations Operation in Côte d'Ivoire in establishing, within forty-five days of the date of adoption of the present resolution, a comprehensive list of armaments in the possession of those armed forces and in possession of paramilitary troops and militias associated with them, as well as their location, in particular aircraft and their armament of any kind, missiles, explosive devices, artillery of any calibre, including anti-aircraft artillery, and armoured and non-armoured vehicles, in order to help the United Nations Operation in Côte d'Ivoire to fulfil the tasks set out in paragraph 2 above and to assist in undertaking the regrouping of all the Ivorian forces involved and in implementing the national programme for the disarmament, demobilization and reintegration of combatants in accordance with resolution 1528 (2004);

9. *Requests* the Secretary-General to communicate as appropriate to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, when possible, reviewed by the Group of Experts, about the supply of arms and related materiel to Côte d'Ivoire;

10. *Requests* the Government of France to communicate as appropriate to the Council, through the Committee, information gathered by the French forces and, when possible, reviewed by the Group of Experts, about the supply of arms and related materiel to Côte d'Ivoire;

11. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraph 7 of resolution 1572 (2004);

12. *Expresses its grave concern* at the use of mercenaries by both Ivorian parties, and urges both sides immediately to desist from this practice;

13. *Recalls* its request, set out in paragraph 15 of resolution 1572 (2004), to all States, in particular those in the region, to report to the Committee on steps they have taken to implement the measures imposed by paragraph 7 of resolution 1572 (2004);

14. *Expresses its intention* to consider the recommendations of the Secretary-General contained in his report of 9 December 2004 and the addendum thereto;[22]

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5118th meeting.

Decisions

On 2 March 2005, the President of the Security Council addressed the following letter to the Secretary-General:[23]

> "I have the honour to inform you that your letter dated 25 February 2005 concerning your intention to appoint Mr. Pierre Schori, of Sweden, as your Special Representative and Head of the United Nations Operation in Côte d'Ivoire[24] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[22] S/2004/962 and Add.1.

[23] S/2005/134.

[24] S/2005/133.

At its 5152nd meeting, on 28 March 2005, the Council decided to invite the representative of Côte d'Ivoire and the Deputy Minister for Foreign Affairs of South Africa to participate, without vote, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Fourth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2005/186)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alan Doss, Principal Deputy Special Representative of the Secretary-General for Côte d'Ivoire.

At its 5159th meeting, on 4 April 2005, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Fourth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2005/186)".

Resolution 1594 (2005)
of 4 April 2005

The Security Council,

Recalling its resolutions 1528 (2004) of 27 February 2004, 1572 (2004) of 15 November 2004 and 1584 (2005) of 1 February 2005, as well as the relevant statements by its President, in particular those of 6 November[19] and 16 December 2004,[20]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[18] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, and the agreement signed at Accra on 30 July 2004 (the Accra III Agreement),[17]

Welcoming the efforts of the Secretary-General, the African Union and the Economic Community of West African States towards re-establishing peace and stability in Côte d'Ivoire, and reaffirming in this regard its full support to the ongoing facilitation mission undertaken by the President of the Republic of South Africa, Mr. Thabo Mbeki, on behalf of the African Union,

Taking note of the report of the Secretary-General of 18 March 2005,[25]

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it shall be extended for a period of one month, until 4 May 2005;

2. *Calls upon* all Ivorian parties immediately and actively to pursue a just and lasting solution to the current crisis, particularly through the African Union mediation led by President Thabo Mbeki;

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[25] S/2005/186.

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5159th meeting.

Decisions

At its 5169th meeting, on 26 April 2005, the Security Council decided to invite the representatives of Côte d'Ivoire and Nigeria and the Deputy Minister for Foreign Affairs of South Africa to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At its 5173rd meeting, on 4 May 2005, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Fourth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2005/186)
>
> "Letter dated 25 April 2005 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council (S/2005/270)".

Resolution 1600 (2005)
of 4 May 2005

The Security Council,

Recalling its resolutions 1528 (2004) of 27 February 2004, 1572 (2004) of 15 November 2004, 1584 (2005) of 1 February 2005 and 1594 (2005) of 4 April 2005, as well as the relevant statements by its President, in particular those of 6 November[19] and 16 December 2004,[20]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[18] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, and the agreement signed at Accra on 30 July 2004 (the Accra III Agreement),[17]

Welcoming the efforts of the Secretary-General, the African Union and the Economic Community of West African States towards re-establishing peace and stability in Côte d'Ivoire, and reaffirming in this regard its full support to the ongoing facilitation mission undertaken by the President of the Republic of South Africa, Mr. Thabo Mbeki, on behalf of the African Union,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the signing by the Ivorian parties at Pretoria on 6 April 2005 of the agreement on the peace process in Côte d'Ivoire (the Pretoria Agreement),[26] under the auspices of the President of South Africa, Mr. Thabo Mbeki, commends President Mbeki for the essential role he has played, on behalf of the African Union, to restore peace and stability in Côte d'Ivoire, and reaffirms its full support for his mediation efforts;

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[26] S/2005/270, annex I.

2. *Calls upon* all parties to implement fully the Pretoria Agreement, and reminds them that they have decided in the Agreement to refer to the mediator, President Thabo Mbeki, any differences which may arise in the interpretation of any part of the Agreement;

3. *Welcomes* the decision taken by President Thabo Mbeki with regard to eligibility for the Presidency of the Republic, as described in his letter dated 11 April 2005 to Mr. Laurent Gbagbo, President of the Republic of Côte d'Ivoire,[27] and takes note with satisfaction of the announcement made by President Gbagbo on 26 April 2005[28] that all candidates nominated by the political parties signatory to the Linas-Marcoussis Agreement[18] would be eligible for the Presidency;

4. *Urges* all the Ivorian parties to take all necessary steps to ensure that the forthcoming general elections are free, fair and transparent;

5. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it shall be extended for a period of one month, until 4 June 2005;

6. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5173rd meeting.

Decision

At its 5194th meeting, on 3 June 2005, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Fourth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2005/186)".

Resolution 1603 (2005)
of 3 June 2005

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[18] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, and the agreement signed at Accra on 30 July 2004 (the Accra III Agreement),[17]

Welcoming the efforts of the Secretary-General, the African Union and the Economic Community of West African States towards re-establishing peace and stability in Côte d'Ivoire,

Welcoming in particular the mediation efforts undertaken by Mr. Thabo Mbeki, President of the Republic of South Africa, on behalf of the African Union, and reaffirming its full support for him,

Welcoming the signing by the Ivorian parties at Pretoria on 6 April 2005 of the agreement on the peace process in Côte d'Ivoire (the Pretoria Agreement),[26] under the auspices of President

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[27] Ibid., annex II.

[28] See S/2005/284, annex.

Thabo Mbeki, and expressing its satisfaction with the first steps which have been undertaken by the Ivorian parties in order to implement the Agreement, in particular with the agreement on the disarmament, demobilization and reintegration process reached on 14 May 2005 and the restoration of the status of the Ivorian Radio and Television to that which it enjoyed before 24 December 2004,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security, its resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 on children and armed conflict, as well as its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

Expressing grave concern at the allegations of misconduct of some peacekeeping troops deployed in African countries, including sexual exploitation, affirming that these troops should comply with their code of conduct, and reaffirming that there will be a zero tolerance policy of any misconduct or sexual exploitation in all peacekeeping troops,

Having taken note of the report of the Secretary-General of 18 March 2005,[25]

Having taken note also of the letter dated 23 May 2005 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council,[29]

Expressing its concern at the continued deterioration of the security and humanitarian situation, in particular in the west of the country,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Endorses* the Pretoria Agreement,[26] and demands that all the signatories to the Agreement and all the Ivorian parties concerned implement it fully and without delay;

2. *Stresses*, in this regard, that non-respect, by the signatories to the Pretoria Agreement, or by any other Ivorian party concerned, of any of the commitments made in Pretoria in the presence of the President of South Africa, Mr. Thabo Mbeki, would endanger the peace process in Côte d'Ivoire and would constitute an obstacle to the implementation of the Linas-Marcoussis Agreement[18] and the Accra III Agreement,[17] and therefore reaffirms its readiness to implement paragraphs 9 and 11 of its resolution 1572 (2004) of 15 November 2004 if the parties fail to meet their commitments under the Linas-Marcoussis and Pretoria Agreements;

3. *Commends* President Thabo Mbeki for the essential role he has played, on behalf of the African Union, to restore peace and stability in Côte d'Ivoire, reaffirms its full support for his mediation efforts, reminds the signatories to the Pretoria Agreement that, in the event of differences in the interpretation of all or part of the Agreement, they should seek a ruling from President Mbeki, and encourages the Secretary-General, President Mbeki and the African Union to continue to collaborate closely in the implementation of the Agreement;

4. *Takes note with satisfaction* of the provisions of the Pretoria Agreement reaffirming the determination of the signatories to the Agreement regarding the need to organize presidential elections in October 2005 and legislative elections following immediately thereafter, as well as their agreement to invite the United Nations to participate in the work of the Independent Electoral Commission and the Constitutional Council and in the organization of the general elections, and of the decision by the Council of Ministers on 28 April 2005 to hold the first round of the presidential elections on 30 October 2005;

5. *Welcomes* the decision taken by President Thabo Mbeki with regard to eligibility for the Presidency of the Republic, as described in his letter dated 11 April 2005 to Mr. Laurent

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[29] S/2005/340.

Gbagbo, President of the Republic of Côte d'Ivoire,[27] and takes note with satisfaction of the announcement made by President Gbagbo on 26 April 2005[28] that all candidates nominated by the political parties signatory to the Linas-Marcoussis Agreement would be eligible for the presidential elections;

6. *Demands* that all the Ivorian parties take all necessary steps to ensure that the forthcoming general elections are free, fair and transparent;

7. *Requests* the Secretary-General, on the basis of the Pretoria Agreement, to designate, as an exceptional arrangement, after consultations with the African Union and President Thabo Mbeki, a High Representative for the elections in Côte d'Ivoire, autonomous from the United Nations Operation in Côte d'Ivoire, to assist in particular in the work of the Independent Electoral Commission and the Constitutional Council, without prejudice to the responsibilities of the Special Representative of the Secretary-General for Côte d'Ivoire and with the following mandate:

(*a*) To verify, on behalf of the international community, that all stages of the electoral process, including the establishment of a register of voters and the issuance of voters' cards, provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections within the time limits laid down in the Constitution of the Republic of Côte d'Ivoire;

(*b*) To provide, in close cooperation with the United Nations Operation in Côte d'Ivoire and the mediation, all necessary advice and guidance to the Constitutional Council, the Independent Electoral Commission and other relevant agencies or institutions to help them to prevent and resolve any difficulty which may jeopardize the holding of open, free, fair and transparent elections within the time limits laid down in the Constitution, with the authority to make necessary determinations in this regard;

(*c*) To report immediately to the Security Council through the Secretary-General, and to inform the mediator of the African Union, President Thabo Mbeki, of any difficulty which may jeopardize the holding of open, free, fair and transparent elections, and to submit to them, as appropriate, such recommendations as he may see fit to make;

(*d*) To keep the Council, through the Secretary-General, and President Thabo Mbeki regularly informed of all aspects of his mandate;

(*e*) To request and receive information and technical advice from the United Nations Operation in Côte d'Ivoire as well as from other sources;

8. *Decides* that the mandate of the High Representative as referred to in paragraph 7 above will end after the forthcoming general elections in Côte d'Ivoire;

9. *Calls upon* the donor community to provide all the necessary financial resources to the High Representative to support the full implementation of his mission;

10. *Takes note* of the agreement on the disarmament, demobilization and reintegration process and on the restructuring of the armed forces signed at Yamoussoukro on 14 May 2005 by the chiefs of staff of the National Armed Forces of Côte d'Ivoire and the armed forces of the Forces nouvelles, demands that the parties implement fully this agreement so that the disarmament, demobilization and reintegration process can start without delay, reaffirms in this regard paragraphs 9 and 11 of its resolution 1572 (2004), reaffirms also paragraph 8 of its resolution 1584 (2005) of 1 February 2005 regarding the establishment of a comprehensive list of armaments in their possession, and demands the immediate disarmament and dismantling of militias throughout the national territory;

11. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it shall be extended until 24 June 2005, with a view to renewing it, in this specific instance, for a period of seven months;

12. *Authorizes* the Secretary-General to begin the necessary planning and preparations, including troop and police generation as well as required support and other arrangements, to

facilitate a timely deployment in the event that the Council decides to increase the authorized strength of troops and police for the United Nations Operation in Côte d'Ivoire and to adjust its mandate;

13. *Underlines* the importance of mainstreaming the gender perspective in peacekeeping operations and post-conflict peacebuilding and of appropriate expertise in this regard, and encourages the United Nations Operation in Côte d'Ivoire to actively address this issue;

14. *Urges* donors and international financial institutions to provide the necessary support to the implementation of the Pretoria Agreement, in particular the disarmament, demobilization and reintegration programme and the electoral process, through the expeditious allocation of financial resources;

15. *Calls upon* all parties to cooperate fully in the deployment and operations of the United Nations Operation in Côte d'Ivoire, in particular by guaranteeing the safety, security and freedom of movement of United Nations personnel as well as associated personnel throughout the territory of Côte d'Ivoire;

16. *Welcomes* the efforts undertaken by the United Nations Operation in Côte d'Ivoire to implement the Secretary-General's zero tolerance policy on sexual exploitation and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

17. *Requests* the Secretary-General to continue to keep the Council regularly informed of the developments in the situation in Côte d'Ivoire, the implementation of the mandate of the United Nations Operation in Côte d'Ivoire and of the Linas-Marcoussis and Pretoria Agreements, and to report to it in this regard every three months;

18. *Requests* France to continue to report to the Council periodically on all aspects of its mandate in Côte d'Ivoire;

19. *Invites* the African Union to keep the Council regularly informed of the implementation of the provisions of the Pretoria Agreement and to make recommendations to the Council as it deems necessary;

20. *Expresses its full support* to the Special Representative of the Secretary-General for Côte d'Ivoire;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5194th meeting.

Decision

At its 5213th meeting, on 24 June 2005, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Fifth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2005/398 and Add.1)".

Resolution 1609 (2005)
of 24 June 2005

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire, *Recalling also* its resolution 1561 (2004) of 17 September 2004 on the situation in Liberia and its resolution 1562 (2004) of 17 September 2004 on the situation in Sierra Leone,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[18] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, the agreement signed at Accra on 30 July 2004 (the Accra III Agreement)[17] and the agreement signed at Pretoria on 6 April 2005 (the Pretoria Agreement),[26]

Having taken note of the report of the Secretary-General of 17 June 2005[30] and of his report of 2 March 2005 on inter-mission cooperation and possible cross-border operations between the United Nations Mission in Sierra Leone, the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire,[31]

Expressing its serious concern at the continued deterioration of the security and humanitarian situation, in particular after the tragic events that occurred in the west of the country,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it shall be extended, in this specific instance, for a period of seven months, until 24 January 2006;

2. *Also decides* that the United Nations Operation in Côte d'Ivoire shall have the following mandate from the date of adoption of the present resolution:

Monitoring of the cessation of hostilities and movements of armed groups

(*a*) To observe and monitor the implementation of the joint declaration of the end of the war of 6 April 2005 and of the comprehensive ceasefire agreement of 3 May 2003, to prevent, within its capabilities and its areas of deployment, any hostile action, in particular within the Zone of Confidence, and to investigate violations of the ceasefire;

(*b*) To liaise with the National Armed Forces of Côte d'Ivoire and the military elements of the Forces nouvelles in order to promote, in coordination with the French forces, the re-establishment of trust among all the Ivorian forces involved;

(*c*) To assist the Government of National Reconciliation in monitoring the borders, with particular attention to the situation of Liberian refugees and to any cross-border movement of combatants;

Disarmament, demobilization, reintegration, repatriation and resettlement

(*d*) To assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to assist in ensuring the security of their disarmament, cantonment and demobilization sites;

(*e*) To support the Government of National Reconciliation in the implementation of the national programme for the disarmament, demobilization and reintegration of combatants, paying special attention to the specific needs of women and children;

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[30] S/2005/398 and Add.1.

[31] S/2005/135.

(*f*) To coordinate closely with the United Nations missions in Sierra Leone and in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, paying special attention to the specific needs of women and children, in support of the efforts of the Government of National Reconciliation and in cooperation with the Governments concerned, relevant international financial institutions, international development organizations and donor nations;

(*g*) To ensure that the programmes mentioned in subparagraphs (*e*) and (*f*) above take into account the need for a coordinated regional approach;

(*h*) To secure, neutralize or destroy any weapons, ammunition or any other materiel surrendered by the former combatants;

Disarmament and dismantling of militias

(*i*) To assist the Prime Minister of the Government of National Reconciliation in formulating and monitoring the implementation of the Joint Operation Plan for the disarmament and dismantling of militias envisaged in paragraph 4 of the Pretoria Agreement;[26]

(*j*) To secure, neutralize or destroy all weapons, ammunition and other materiel surrendered by militias;

Protection of United Nations personnel, institutions and civilians

(*k*) To protect United Nations personnel, installations and equipment, ensure the security and freedom of movement of United Nations personnel and, without prejudice to the responsibility of the Government of National Reconciliation, to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment;

(*l*) To support, in coordination with the Ivorian and South African authorities, the provision of security for members of the Government of National Reconciliation;

Monitoring of the arms embargo

(*m*) To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004) of 15 November 2004, in cooperation with the Group of Experts established pursuant to resolution 1584 (2005) of 1 February 2005 and, as appropriate, with the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and Governments concerned, including by inspecting, as they deem it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire;

(*n*) To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and to dispose of such arms and related materiel as appropriate;

Support for humanitarian assistance

(*o*) To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by helping to establish the necessary security conditions and taking into account the special needs of vulnerable groups, especially women, children and elderly people;

Support for the redeployment of State administration

(*p*) To facilitate, with the assistance of the African Union, the Economic Community of West African States and other international partners, the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d'Ivoire, which is essential for the social and economic recovery of the country;

Support for the organization of open, free, fair and transparent elections

(*q*) To provide all necessary technical assistance to the Government of National Reconciliation, the Independent Electoral Commission and other relevant agencies or institutions, with the support of the African Union, the Economic Community of West African States and other international partners, for the organization of open, free, fair and transparent presidential and legislative elections within the time frames envisaged in the Constitution of the Republic of Côte d'Ivoire;

(*r*) To provide technical information, advice and assistance, as appropriate, to the High Representative referred to in paragraph 7 of resolution 1603 (2005) of 3 June 2005;

(*s*) To contribute, within its capabilities and its areas of deployment, to the security of the areas where voting is to take place;

Assistance in the field of human rights

(*t*) To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against children and women, to monitor and help to investigate human rights violations with a view to ending impunity, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard;

Public information

(*u*) To promote understanding of the peace process and the role of the United Nations Operation in Côte d'Ivoire among local communities and the parties, through the mission's public information capacity, including its radio broadcasting capability;

(*v*) To monitor the Ivorian mass media, in particular with regard to any incidents of incitement by the media to hatred, intolerance and violence, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of the situation in this regard;

Law and order

(*w*) To assist the Government of National Reconciliation, in conjunction with the African Union, the Economic Community of West African States and other international organizations, in restoring a civilian policing presence throughout Côte d'Ivoire, to advise the Government of National Reconciliation on the restructuring of the internal security services, and to assist the Ivorian parties in the implementation of temporary and interim security measures in the northern part of the country, as provided for in paragraph 6 of the Pretoria Agreement;

(*x*) To assist the Government of National Reconciliation, in conjunction with the African Union, the Economic Community of West African States and other international organizations, in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;

3. *Authorizes*, for the period specified in paragraph 1 above, an increase in the military component of the United Nations Operation in Côte d'Ivoire of up to 850 additional personnel, as well as an increase in the civilian police component of up to a ceiling of 725 civilian police personnel, including three formed police units, and the necessary additional civilian personnel;

4. *Authorizes* the Secretary-General to take all the necessary steps in order to implement, as appropriate, relevant measures envisaged in paragraphs 19 to 23 and 76 (*b*) to (*e*) of his report of 2 March 2005 on inter-mission cooperation and possible cross-border operations between the United Nations Mission in Sierra Leone, the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire,[31] subject to the agreement of the troop-contributing countries and, where relevant, of the Governments concerned and without prejudice to the performance of the mandates of those United Nations missions;

5. *Requests* the Secretary-General to seek the agreement of the countries contributing military and civilian police personnel to the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and the United Nations Operation in Côte d'Ivoire to redeploy such personnel as may be needed on a temporary basis to reinforce another of the above three missions, as appropriate, taking account of the need to ensure effective performance of the current mandates of those missions;

6. *Authorizes*, subject to the necessary prior steps referred to in paragraphs 4 and 5 above, including the agreement of the troop-contributing countries and, where relevant, the Governments concerned, the temporary redeployment of military and civilian police personnel among the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and the United Nations Operation in Côte d'Ivoire to deal with challenges which cannot be handled within the authorized personnel ceiling of a given mission, subject to the following conditions:

(*a*) The Secretary-General shall inform the Security Council in advance of his intention to proceed with such a redeployment, including its scope and duration, with the understanding that the implementation of the above-mentioned reinforcement will require a corresponding decision of the Council;

(*b*) Any forces redeployed shall continue to be counted against the authorized ceiling on military and civilian personnel of the mission from which they are being transferred and shall not count against the ceiling of the mission to which they are being transferred;

(*c*) Any such transfer shall not result in any increase in the total combined ceilings on military and civilian personnel deployed in the United Nations Operation in Côte d'Ivoire, the United Nations Mission in Sierra Leone and the United Nations Mission in Liberia determined by the Council in the respective mandates of the three missions;

(*d*) Any such transfer shall not have the effect of extending the deployment period of personnel deployed under the mandate of their original mission, unless the Council decides otherwise;

7. *Decides* to review the troop level of the United Nations Operation in Côte d'Ivoire by 31 December 2005, including the civilian police component, in the light of the situation in Côte d'Ivoire after the forthcoming general elections and on the basis of the tasks remaining to be carried out, with a view to further reduction as appropriate;

8. *Authorizes* the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

9. *Requests* the United Nations Operation in Côte d'Ivoire to carry out its mandate in close liaison with the United Nations missions in Sierra Leone and in Liberia, including, especially, in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilization programmes;

10. *Underlines* the importance of mainstreaming the gender perspective in peacekeeping operations and post-conflict peacebuilding and of appropriate expertise in this regard, and encourages the United Nations Operation in Côte d'Ivoire to actively address this issue;

11. *Welcomes* the efforts undertaken by the United Nations Operation in Côte d'Ivoire to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure that such acts are properly investigated and punished in cases involving their personnel;

12. *Authorizes*, from the date of adoption of the present resolution, the French forces to use all necessary means in order to support the United Nations Operation in Côte d'Ivoire in

accordance with the agreement reached between the United Nations Operation in Côte d'Ivoire and the French authorities, and in particular:

(*a*) To contribute to the general security of the area of activity of the international forces;

(*b*) To intervene at the request of the United Nations Operation in Côte d'Ivoire in support of its elements whose security may be threatened;

(*c*) In consultation with the United Nations Operation in Côte d'Ivoire, to intervene against belligerent actions, if security conditions so require, outside the areas of deployment of the United Nations Operation in Côte d'Ivoire;

(*d*) To help to protect civilians in the deployment areas of their units;

(*e*) To contribute to monitoring the arms embargo established by resolution 1572 (2004), in accordance with paragraphs 2 and 3 of resolution 1584 (2005);

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5213th meeting.

Decisions

At its 5221st meeting, on 6 July 2005, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[32]

> "The Security Council has taken note with interest of the Declaration on the implementation of the Pretoria Agreement on the peace process in Côte d'Ivoire signed on 29 June 2005 at Pretoria under the auspices of the African Union mediator, President Thabo Mbeki.
>
> "The Council welcomes the efforts undertaken by the African Union mediation so that the forthcoming elections in Côte d'Ivoire are credible and are held as planned, and reiterates its full support to the African Union mediator.
>
> "The Council recalls that it has endorsed the Pretoria Agreement signed on 6 April 2005.[26]
>
> "The Council demands that all the signatories to this Agreement and all the Ivorian parties concerned implement fully and without delay all the commitments made with the African Union mediation and comply scrupulously with the timetable agreed on 29 June 2005 in Pretoria.
>
> "The Council affirms that it stands ready, in close consultation with the African Union mediation, to implement individual sanctions provided for in paragraphs 9 and 11 of resolution 1572 (2004) against those who do not comply with those commitments or who constitute an obstacle to their full implementation."

On 22 July 2005, the President of the Security Council addressed the following letter to the Secretary-General:[33]

> "I have the honour to inform you that your letter dated 19 July 2005 concerning your intention, as requested in Security Council resolution 1603 (2005), to appoint Mr. António

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[32] S/PRST/2005/28.

[33] S/2005/487.

Monteiro, of Portugal, to the post of High Representative for the elections in Côte d'Ivoire[14] has been brought to the attention of the members of the Council. They take note of the intention expressed in your letter."

ITEMS RELATING TO THE SITUATION IN THE MIDDLE EAST

A. The situation in the Middle East, including the Palestinian question[15]

Decisions

At its 5019th meeting, on 11 August 2004, the Security Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5039th meeting, on 17 September 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5049th meeting, on 4 October 2004, the Council decided to invite the representatives of Cuba, Egypt, Iran (Islamic Republic of), Israel, Japan, Jordan, Malaysia, the Netherlands, South Africa, the Syrian Arab Republic, Tunisia and Turkey to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 4 October 2004 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/2004/779)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 4 October 2004 to the President of the Council,[16] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in response to the request dated 4 October 2004 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council,[17] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 4 October 2004.

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[14] S/2005/486.

[15] Resolutions or decisions on this question have been adopted by the Security Council every year since 2000.

[16] S/2004/780.

[17] S/2004/781.

At its 5051st meeting, on 5 October 2004, the Council considered the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 4 October 2004 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/2004/779)".

In accordance with the decision taken at the 5049th meeting, the President, with the consent of the Council, invited the representative of Israel to participate, without vote, in the discussion of the item.

In accordance with the decision taken at the 5049th meeting, the President, with the consent of the Council, also invited the Permanent Observer of Palestine to participate in the discussion in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

On 8 October 2004, the President of the Security Council addressed the following letter to the Secretary-General:[38]

> "I have the honour to inform you that your letter dated 5 October 2004 concerning your intention to appoint Brigadier General Clive Lilley, of New Zealand, as the Chief of Staff of the United Nations Truce Supervision Organization[39] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5060th meeting, on 22 October 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5077th meeting, on 15 November 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 5102nd meeting, on 16 December 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5111th meeting, on 13 January 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

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[38] S/2004/810.

[39] S/2004/809.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[40]

> "The Security Council welcomes the Palestinian presidential election held on 9 January 2005. It commends the credible and fair character of the vote and congratulates the Palestinian people who demonstrated their commitment to democracy by participating in the election under challenging conditions. The Council pays tribute to the Central Elections Commission which played a key role in ensuring the successful conclusion of the election, and expresses its appreciation for the contribution of international observers and for the support of the United Nations.
>
> "The Council congratulates the newly elected President of the Palestinian Authority on his election.
>
> "The Council looks forward to the convening of the Palestinian legislative elections in the near future, and affirms its continuing support for the Palestinian people in their democratic process.
>
> "The Council supports the Palestinian Authority and its efforts to pursue the process of strengthening institutions.
>
> "The Council underlines the importance of enhanced and expeditious international assistance to the Palestinian people and the Palestinian Authority.
>
> "The Council stresses the need for the full implementation of the Quartet Road Map,[41] as endorsed by the Council in its resolution 1515 (2003), for the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.
>
> "The Council calls upon Israelis and Palestinians to relaunch a genuine political process and advance towards a just and lasting peace in the region."

At its 5126th meeting, on 16 February 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[42]

> "The Security Council welcomes the summit held in Sharm El-Sheikh, Egypt, on 8 February 2005, and the resumption of direct talks between the Prime Minister of Israel, Mr. Ariel Sharon, and the President of the Palestinian Authority, Mr. Mahmoud Abbas. The Council expresses its appreciation to Mr. Hosni Mubarak, President of the Arab Republic of Egypt, for the invitation to both parties to the summit, and to King Abdullah II bin Al Hussein of Jordan for his participation.
>
> "The Council underlines the understandings reached by the Government of Israel and the Palestinian Authority, in particular that all Palestinians will stop all acts of violence against all Israelis everywhere and that Israel will cease all its military activities against all Palestinians everywhere. The Council calls for the full respect by the parties of their commitments in this regard.
>
> "The Council recognizes these understandings, along with other recent positive developments, as primary steps towards restoring confidence between the two parties and as

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[40] S/PRST/2005/2.

[41] Performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict (S/2003/529, annex).

[42] S/PRST/2005/6.

> a significant opportunity to enhance a new spirit of cooperation and to promote an atmosphere conducive to the establishment of peace and coexistence in the region.
>
> "The Council commends the role being played by Egypt and Jordan in facilitating a successful resumption of dialogue between the Government of Israel and the Palestinian Authority within the framework of the Road Map.[41]
>
> "The Council welcomes the initiative of the Government of the United Kingdom of Great Britain and Northern Ireland in convening an international meeting in London on 1 March 2005 to support Palestinian efforts to prepare the ground for a viable Palestinian State. The Council also welcomes the upcoming meeting of the Quartet at the ministerial level which will convene in the margins of the London meeting.
>
> "The Council looks forward to further engagement by the Quartet with the two parties to ensure continued progress in the peace process and the full implementation of the Road Map and relevant Council resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), towards the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.
>
> "The Council looks forward to the establishment of a just, lasting and comprehensive peace in the Middle East."

At its 5128th meeting, on 22 February 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5136th meeting, on 9 March 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[43]

> "The Security Council welcomes the conclusions of the London Meeting on Supporting the Palestinian Authority, held on 1 March 2005. The Council supports the objectives of the London Meeting to help the Palestinian leadership to strengthen the institutions needed for a viable and independent Palestinian State.
>
> "The Council hopes that the London Meeting will be part of the longer-term process of international support to the Palestinian people and the Palestinian Authority and a contribution to helping both sides to implement the road map[41] endorsed by the Council in its resolution 1515 (2003) and agreed to by the parties as the path towards a lasting comprehensive negotiated settlement to the Middle East conflict, based on Council resolutions 242 (1967), 338 (1973) and 1397 (2002).
>
> "The Council stresses the crucial importance of security, good governance and development of the Palestinian economy. In this context, the Council welcomes President Abbas's comprehensive plan presented at the London Meeting for strengthening the institutions of the Palestinian Authority in these three areas.
>
> "The Council stresses the key role of the international community in assisting the Palestinian Authority in taking forward this plan. The Council welcomes the international community's commitments to respond to the plans of the Palestinian Authority by providing financial and political support. The Council recognizes the important role of the Quartet in

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[43] S/PRST/2005/12.

> international efforts aimed at providing assistance to the Palestinian Authority in the fields of security, economic development and governance.
>
> "The Council supports the proposals for follow-up to the London Meeting and looks forward to their early implementation.
>
> "The Council supports the Joint Statement of the Quartet issued following the meeting of the Quartet held in the margins of the London Meeting, and looks forward to the Quartet's active engagement over the forthcoming period, while recognizing also the important role of other interested parties.
>
> "The Council reiterates its call for full respect by the Government of Israel and the Palestinian Authority of understandings reached at the Sharm El-Sheikh summit on 8 February 2005, in particular that all Palestinians will stop all acts of violence against all Israelis everywhere and that Israel will cease all its military activities against all Palestinians everywhere.
>
> "The Council reiterates its call upon both Israel and the Palestinian Authority to ensure continued progress in the peace process towards full implementation of the road map in direct contact with the Quartet. It stresses the need for concerted and sustained action by the Palestinian Authority to fulfil its security-related commitments and welcomes in this context President Abbas's commitment to exert every effort towards that end. The Council stresses also the need for Israel to implement its road map commitments.
>
> "The Council reiterates its demand for immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction.
>
> "The Council reiterates its commitment to the vision of two States, Israel and Palestine, living side by side in peace and security."

At its 5149th meeting, on 24 March 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5166th meeting, on 21 April 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

On 10 May 2005, the President of the Security Council addressed the following letter to the Secretary-General:[44]

> "I have the honour to inform you that your letter dated 6 May 2005 concerning your intention to appoint Mr. Alvaro de Soto as the United Nations Special Coordinator for the Middle East Peace Process and your Personal Representative to the Palestine Liberation Organization and the Palestinian Authority[45] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5181st meeting, on 18 May 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

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[44] S/2005/307.

[45] S/2005/306.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5206th meeting, on 17 June 2005, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

On 5 July 2005, the President of the Security Council addressed the following letter to the Secretary-General:[46]

> "I have the honour to inform you that your letter dated 28 June 2005 concerning the activities of the Quartet, including the mandate of its Special Envoy for Gaza Disengagement,[47] has been brought to the attention of the members of the Security Council. They confirm support for the arrangements proposed in your letter."

At its 5230th meeting, on 21 July 2005, the Council decided to invite the representatives of Cuba, Egypt, India, Indonesia, Iran (Islamic Republic of), Israel, Kuwait, Lebanon, Malaysia, Norway, Saudi Arabia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 19 July 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council (S/2005/469)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alvaro de Soto, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At the same meeting, the Council further decided to extend an invitation to the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations, in response to her request dated 20 July 2005 to the President of the Council,[48] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in response to the request dated 20 July 2005 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council,[49] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 20 July 2005.[50]

At the same meeting, in response to the request dated 20 July 2005 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security

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[46] S/2005/433.

[47] S/2005/432.

[48] Document S/2005/472, incorporated in the record of the 5230th meeting.

[49] Document S/2005/471, incorporated in the record of the 5230th meeting.

[50] See S/PV.5230 and Corr.1.

Council,[51] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Syed Shahid Husain, Senior Adviser of the Permanent Observer Mission of the Organization of the Islamic Conference to the United Nations.

Upon resumption of the meeting, on 21 July 2005, the Council decided to invite the representatives of the Libyan Arab Jamahiriya, Morocco and Pakistan to participate, without vote, in the discussion of the item.

B. The situation in the Middle East[52]

Decision

At its 5028th meeting, on 2 September 2004, the Security Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

Resolution 1559 (2004)
of 2 September 2004

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, resolution 520 (1982) of 17 September 1982 and resolution 1553 (2004) of 29 July 2004, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[53]

Reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders,

Noting the determination of Lebanon to ensure the withdrawal of all non-Lebanese forces from Lebanon,

Gravely concerned at the continued presence of armed militias in Lebanon, which prevents the Government of Lebanon from exercising its full sovereignty over all Lebanese territory,

Reaffirming the importance of the extension of the control of the Government of Lebanon over all Lebanese territory,

Mindful of the upcoming Lebanese presidential elections, and underlining the importance of free and fair elections according to Lebanese constitutional rules devised without foreign interference or influence,

1. *Reaffirms its call for* the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon;

2. *Calls upon* all remaining foreign forces to withdraw from Lebanon;

3. *Calls for* the disbanding and disarmament of all Lebanese and non-Lebanese militias;

4. *Supports* the extension of the control of the Government of Lebanon over all Lebanese territory;

5. *Declares its support* for a free and fair electoral process in Lebanon's upcoming presidential elections conducted according to Lebanese constitutional rules devised without foreign interference or influence;

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[51] Document S/2005/473, incorporated in the record of the 5230th meeting.

[52] Resolutions or decisions on this question have been adopted by the Security Council every year since 1967.

[53] S/PRST/2000/21.

6. *Calls upon* all parties concerned to cooperate fully and urgently with the Security Council for the full implementation of the present resolution and all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon;

7. *Requests* that the Secretary-General report to the Council within thirty days on the implementation by the parties of the present resolution, and decides to remain actively seized of the matter.

Adopted at the 5028th meeting
by 9 votes to none, with 6 abstentions
(Algeria, Brazil, China, Pakistan,
Philippines and Russian Federation).

Decisions

On 8 October 2004, the President of the Security Council addressed the following letter to the Secretary-General:

[*For the text of the letter, see page 29 of the present volume.*]

At its 5058th meeting, on 19 October 2004, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General pursuant to Security Council resolution 1559 (2004) (S/2004/777)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[54]

"The Security Council welcomes the report of the Secretary-General of 1 October 2004 on the implementation of resolution 1559 (2004) of 2 September 2004.[55]

"The Council takes note of the letter dated 5 October 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General[56] and of the note verbale dated 6 October 2004 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council.[57]

"The Council reaffirms its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders.

"The Council notes with concern that the requirements set out in resolution 1559 (2004) have not been met, as reported by the Secretary-General. The Council urges relevant parties to implement fully all provisions of that resolution, and welcomes the Secretary-General's readiness to assist the parties in this regard.

"The Council appreciates the intention of the Secretary-General to keep the Council updated. It requests that he continue to report to the Council on the implementation of the resolution every six months."

At its 5101st meeting, on 15 December 2004, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2004/948)".

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[54] S/PRST/2004/36.

[55] S/2004/777.

[56] S/2004/794 and Corr.1.

[57] S/2004/796.

Resolution 1578 (2004)
of 15 December 2004

The Security Council,

Having considered the report of the Secretary-General of 7 December 2004 on the United Nations Disengagement Observer Force,[58] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 30 June 2005;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 5101st meeting.

Decisions

At the 5101st meeting also, following the adoption of resolution 1578 (2004), the President of the Security Council made the following statement on behalf of the Council:[59]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[58] states in paragraph 12: "... the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

On 16 December 2004, the President of the Security Council addressed the following letter to the Secretary-General:[60]

> "I have the honour to inform you that your letter dated 14 December 2004 concerning your decision to appoint Mr. Terje Roed-Larsen, of Norway, as your Special Envoy for the implementation of Security Council resolution 1559 (2004)[61] has been brought to the attention of the members of the Council. They take note of your intention and the information contained in your letter."

At its 5117th meeting, on 28 January 2005, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2005/36)".

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[58] S/2004/948.

[59] S/PRST/2004/47.

[60] S/2004/975.

[61] S/2004/974.

Resolution 1583 (2005)
of 28 January 2005

The Security Council,

Recalling all its previous resolutions on Lebanon, including resolutions 425 (1978) and 426 (1978) of 19 March 1978 and resolution 1553 (2004) of 29 July 2004, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[53]

Recalling also the letter dated 18 May 2001 from its President to the Secretary-General,[62]

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[63] as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Gravely concerned at the persistence of tension and violence along the Blue Line,

Emphasizing once again the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also its resolution 1325 (2000) of 31 October 2000,

Recalling further the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[64]

Responding to the request of the Government of Lebanon to extend the mandate of the Force for a new period of six months, presented in the letter dated 10 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[65] while reaffirming that the Security Council has recognized the Blue Line as valid for the purpose of confirming the withdrawal of Israel pursuant to resolution 425 (1978) and that the Blue Line must be respected in its entirety,

Expressing its concern over the tensions and potential for escalation as noted in the report of the Secretary-General of 20 January 2005,[66]

1. *Endorses* the report of the Secretary-General of 20 January 2005 on the United Nations Interim Force in Lebanon;[66]

2. *Decides* to extend the present mandate until 31 July 2005;

3. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries and under the sole and exclusive authority of the Government of Lebanon;

4. *Calls upon* the Government of Lebanon to fully extend and exercise its sole and effective authority throughout the south, including through the deployment of sufficient numbers of Lebanese armed and security forces, to ensure a calm environment throughout the area, including along the Blue Line, and to exert control over the use of force on its territory and from it;

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[62] S/2001/500.

[63] S/2000/460.

[64] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[65] S/2005/13.

[66] S/2005/36.

5. *Calls upon* the parties to ensure that the Force is accorded full freedom of movement throughout its area of operation as outlined in the report of the Secretary-General, and requests the Force to report any obstruction it may face in the discharge of its mandate;

6. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the entire withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[67] to exercise utmost restraint and to cooperate fully with the United Nations and the Force;

7. *Condemns* all acts of violence, including the recent incidents across the Blue Line that have resulted in the killing and wounding of United Nations military observers, expresses great concern about the serious breaches and the sea, land and continuing air violations of the withdrawal line, and urges the parties to put an end to these violations, to refrain from any act or provocation that could further escalate the tension and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel;

8. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent their escalation, while stressing the primary responsibility of the parties in this regard;

9. *Welcomes* the continued contribution of the Force to operational mine clearance, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and clearance of the remaining mine/unexploded ordnance threat in the south, commends donor countries for supporting those efforts through financial and in-kind contributions and encourages further international contributions, and stresses the necessity for the provision to the Government of Lebanon and the Force of any additional existing maps and minefield records;

10. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report thereon to the Security Council before the end of the present mandate as well as on the activities of the Force and the tasks presently carried out by the United Nations Truce Supervision Organization;

11. *Expresses its intention* to review the mandate and structures of the Force at the end of the present mandate, and requests the Secretary-General, following appropriate consultations, including with the Government of Lebanon, to include in his report recommendations in this regard, taking into account the prevailing situation on the ground, the activities actually performed by the Force in its area of operation and its contribution towards the remaining task of restoring international peace and security;

12. *Looks forward* to the early fulfilment of the mandate of the Force;

13. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 5117th meeting.

Decisions

At its 5122nd meeting, on 15 February 2005, the Security Council considered the item entitled "The situation in the Middle East".

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[67] S/2000/590 and Corr.1.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[68]

> "The Security Council received a briefing from the Secretariat on the situation in Lebanon on 15 February 2005.
>
> "The Council unequivocally condemns the terrorist bombing in Beirut on 14 February 2005 that killed former Prime Minister of Lebanon Rafiq Hariri and others, and caused serious injury to dozens of people, including former Minister Basil Fleihan.
>
> "The Council expresses its deepest sympathy and condolences to the people and Government of Lebanon and to the victims and their families.
>
> "The Council calls upon the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this heinous terrorist act, and notes the Government's commitments in this regard. The Council urges all States, in accordance with its resolutions 1373 (2001) and 1566 (2004), to cooperate fully in the fight against terrorism.
>
> "The Council is gravely concerned by the murder of the former Prime Minister of Lebanon and its possible impact on ongoing efforts by the people of Lebanon to solidify Lebanon's democracy, including during the upcoming parliamentary elections. Such a terrorist act should not jeopardize the holding of those elections in transparent, free and democratic conditions.
>
> "The Council is concerned by the potential for further destabilization of Lebanon, and expresses the hope that the Lebanese people will be able to emerge from this terrible event united, and to use peaceful means in support of their long-standing national aspiration to full sovereignty, independence and territorial integrity.
>
> "The Council reaffirms its previous calls upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.
>
> "The Council requests the Secretary-General to follow closely the situation in Lebanon and to report urgently on the circumstances, causes and consequences of this terrorist act."

On 31 March 2005, the President of the Security Council addressed the following letter to the Secretary-General:[69]

> "I have the honour to inform you that your letter dated 29 March 2005 concerning your decision to appoint Mr. Geir O. Pedersen to serve as your Personal Representative for Southern Lebanon[70] has been brought to the attention of the members of the Security Council. They take note of the information and decision contained in your letter."

At its 5160th meeting, on 7 April 2005, the Council considered the item entitled:

"The situation in the Middle East

> "Letter dated 24 March 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/203)".

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[68] S/PRST/2005/4.

[69] S/2005/217.

[70] S/2005/216.

Resolution 1595 (2005)
of 7 April 2005

The Security Council,

Reiterating its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon,

Endorsing the opinion of the Secretary-General, as expressed in his letter dated 24 March 2005 to the President of the Security Council, that Lebanon is passing through a difficult and sensitive period, that all concerned should imperatively behave with the utmost restraint and that the future of Lebanon should be decided strictly through peaceful means,[71]

Reaffirming its unequivocal condemnation of the terrorist bombing in Beirut on 14 February 2005 that killed former Prime Minister of Lebanon Rafiq Hariri and others, and caused injury to dozens of people, and condemning the subsequent attacks in Lebanon,

Having examined the report of the fact-finding mission to Lebanon inquiring into the circumstances, causes and consequences of this terrorist act,[71] transmitted to the Security Council by the Secretary-General following the statement by the President of the Security Council of 15 February 2005,[68]

Noting with concern the conclusion of the fact-finding mission that the Lebanese investigation process suffers from serious flaws and has neither the capacity nor the commitment to reach a satisfactory and credible conclusion,

Noting, in this context, the opinion of the fact-finding mission that an international independent investigation with executive authority and self-sufficient resources in all relevant fields of expertise would be necessary to elucidate all aspects of this heinous crime,

Mindful of the unanimous demand of the Lebanese people that those responsible be identified and held accountable, and willing to assist Lebanon in the search for the truth,

Welcoming the Government of Lebanon's approval of the decision to be taken by the Council concerning the establishment of an international independent investigation commission, and welcoming also its readiness to cooperate fully with such a commission within the framework of Lebanese sovereignty and of its legal system, as expressed in the letter dated 29 March 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,[72]

1. *Decides*, consistent with the letter dated 29 March 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,[72] to establish an international independent investigation commission ("the Commission") based in Lebanon to assist the Lebanese authorities in their investigation of all aspects of this terrorist act, including to help to identify its perpetrators, sponsors and organizers and their accomplices;

2. *Reiterates its call upon* the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of the 14 February 2005 terrorist bombing, and calls upon the Government of Lebanon to ensure that the findings and conclusions of the investigation by the Commission are taken into account fully;

3. *Decides* that, to ensure the effectiveness of the Commission in the discharge of its duties, the Commission shall:

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[71] See S/2005/203.

[72] S/2005/208.

(*a*) Enjoy the full cooperation of the Lebanese authorities, including full access to all documentary, testimonial and physical information and evidence in their possession that the Commission deems relevant to the inquiry;

(*b*) Have the authority to collect any additional information and evidence, both documentary and physical, pertaining to this terrorist act, as well as to interview all officials and other persons in Lebanon that the Commission deems relevant to the inquiry;

(*c*) Enjoy freedom of movement throughout the Lebanese territory, including access to all sites and facilities that the Commission deems relevant to the inquiry;

(*d*) Be provided with the facilities necessary to perform its functions, and be granted, with its premises, staff and equipment, the privileges and immunities to which they are entitled under the Convention on the Privileges and Immunities of the United Nations;[73]

4. *Requests* the Secretary-General to consult urgently with the Government of Lebanon with a view to facilitating the establishment and operation of the Commission pursuant to its mandate and terms of reference as mentioned in paragraphs 2 and 3 above, and requests also that he report to the Security Council accordingly and notify it of the date on which the Commission begins its full operations;

5. *Also requests* the Secretary-General, notwithstanding paragraph 4 above, to undertake without delay the steps, measures and arrangements necessary for the speedy establishment and full functioning of the Commission, including recruiting impartial and experienced staff with relevant skills and expertise;

6. *Directs* the Commission to determine procedures for carrying out its investigation, taking into account Lebanese law and judicial procedures;

7. *Calls upon* all States and all parties to cooperate fully with the Commission, and in particular to provide it with any relevant information they may possess pertaining to the above-mentioned terrorist act;

8. *Requests* the Commission to complete its work within three months of the date on which it commences its full operations, as notified by the Secretary-General, and authorizes the Secretary-General to extend the operation of the Commission for a further period not exceeding three months, if he deems it necessary to enable the Commission to complete its investigation, and requests that he inform the Council accordingly;

9. *Also requests* the Commission to report to the Council on the conclusions of its investigation, and requests the Secretary-General to update the Council orally on the progress of the Commission every two months during the operations of the Commission or more frequently as needed.

Adopted unanimously at the 5160th meeting.

Decisions

At its 5172nd meeting, on 29 April 2005, the Security Council considered the item entitled:

"The situation in the Middle East

> "First semi-annual report of the Secretary-General to the Security Council on the implementation of Security Council resolution 1559 (2004) (S/2005/272)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to

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[73] General Assembly resolution 22 A (I).

Mr. Terje Roed-Larsen, Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004).

At its 5175th meeting, on 4 May 2005, the Council considered the item entitled:

"The situation in the Middle East

"First semi-annual report of the Secretary-General to the Security Council on the implementation of Security Council resolution 1559 (2004) (S/2005/272)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[74]

"The Security Council recalls all its previous resolutions on Lebanon, in particular resolutions 1559 (2004), 425 (1978), 426 (1978), 520 (1982) and 1583 (2005), as well as the statements by its President on the situation in Lebanon, in particular the statements of 18 June 2000[53] and 19 October 2004.[54]

"The Council reiterates its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon.

"The Council welcomes the first semi-annual report of the Secretary-General to the Security Council of 26 April 2005 on the implementation of Council resolution 1559 (2004).[75]

"The Council welcomes also the fact that the parties concerned have made significant and noticeable progress towards implementing some of the provisions contained in resolution 1559 (2004), while expressing concern at the determination of the Secretary-General that there has been no progress in the implementation of other provisions of the resolution, in particular the disarmament of Lebanese and non-Lebanese militias and the extension of the control of the Government of Lebanon over all Lebanese territory, and that the requirements of the resolution have not yet been met.

"The Council reiterates its call for the full implementation of all requirements of resolution 1559 (2004), and calls upon all concerned parties to cooperate fully with the Council and the Secretary-General to achieve this goal.

"The Council acknowledges the letter dated 26 April 2005 from the Minister for Foreign Affairs of the Syrian Arab Republic to the Secretary-General stating that the Syrian Arab Republic has completed the full withdrawal of its forces, military assets and the intelligence apparatus from Lebanon.[76]

"The Council calls upon the Government of the Syrian Arab Republic and the Government of Lebanon to extend their full cooperation to the United Nations verification team dispatched by the Secretary-General with their agreement to verify whether there has been full and complete withdrawal, and looks forward to his report.

"The Council acknowledges that the full and complete Syrian withdrawal would represent a significant and important step towards Lebanon's full political independence and full exercise of its sovereignty that is the ultimate goal of resolution 1559 (2004), thus opening a new chapter in Lebanese history.

"The Council welcomes the deployment of Lebanese armed forces to positions vacated by Syrian forces and the assumption of responsibility by the Government of

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[74] S/PRST/2005/17.

[75] S/2005/272.

[76] Ibid., annex.

Lebanon for these areas and calls for the deployment of additional Lebanese armed forces throughout the south of the country.

"The Council urges all concerned parties to do their utmost to safeguard the stability and national unity of Lebanon and underlines the importance of national dialogue among all Lebanese political forces in this regard.

"The Council commends the Lebanese people for the dignified manner in which they have expressed their views and for their commitment to a peaceful and democratic process, and stresses that the Lebanese people must be allowed to decide the future of their country free of violence and intimidation. It condemns, in this context, the recent terrorist acts in Lebanon that have resulted in several deaths and injuries, and calls for their perpetrators to be brought to justice.

"The Council welcomes the decision of the Government of Lebanon to conduct elections beginning on 29 May 2005, and underlines the importance that such elections be held according to schedule. The Council shares the opinion of the Secretary-General that a delay in holding the parliamentary elections would contribute to exacerbating further the political divisions in Lebanon and threaten the security, stability and prosperity of the country. The Council underlines the fact that free and credible elections held without foreign interference or influence would be another central indication of the political independence and sovereignty of Lebanon.

"The Council encourages the Secretary-General and the Government of Lebanon to reach arrangements for international assistance, including United Nations assistance, to ensure that such elections are conducted in a free and credible manner, in particular by inviting international governmental and/or non-governmental electoral observers to monitor the electoral process. The Council urges Member States to extend assistance accordingly.

"The Council commends the Secretary-General and his Special Envoy for their relentless efforts and dedication to facilitate and assist the parties in the implementation of all provisions of resolution 1559 (2004), and requests that they continue their work in this regard.

"The Council shares the view that the full implementation of resolution 1559 (2004) would contribute positively to the situation in the Middle East in general."

On 17 May 2005, the President of the Security Council addressed the following letter to the Secretary-General:[77]

"I have the honour to inform you that your letter dated 13 May 2005 concerning your intention to appoint, in accordance with resolution 1595 (2005), Mr. Detlev Mehlis, of Germany, as the Commissioner of the United Nations International Independent Investigation Commission established following the assassination of Lebanese Prime Minister Rafiq Hariri[78] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in that letter."

At its 5197th meeting, on 7 June 2005, the Council considered the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[79]

"The Security Council condemns in the strongest terms the terrorist bombing on 2 June 2005 in Beirut that killed a Lebanese journalist, Samir Qassir, who was a symbol of political independence and freedom, and expresses its deepest sympathy and condolences to the family of the victim and to the people of Lebanon.

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[77] S/2005/318.

[78] S/2005/317.

[79] S/PRST/2005/22.

"The Council welcomes the determination and commitment of the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this assassination and determines that this assassination, like others before it, constitutes a pernicious effort to undermine security, stability, sovereignty, political independence and efforts aimed at preserving civil accord in the country.

"The Council expresses its concern about the destabilizing impact of political assassinations and other terrorist acts in Lebanon, and warns that the sponsors of recent terrorist acts against political leaders and leading members of civil society in Lebanon should not be permitted to jeopardize the holding of parliamentary elections in transparent, free and democratic conditions.

"The Council calls upon all parties to show restraint and a sense of responsibility with a view to the successful completion of the electoral process and government formation in the country.

"The Council reaffirms its resolution 1559 (2004), and reiterates its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon. The Council urges all States, in accordance with its resolutions 1373 (2001) and 1566 (2004), to cooperate fully in the fight against terrorism."

At its 5205th meeting, on 17 June 2005, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2005/379)".

Resolution 1605 (2005)
of 17 June 2005

The Security Council,

Having considered the report of the Secretary-General of 10 June 2005 on the United Nations Disengagement Observer Force,[80] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2005;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 5205th meeting.

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[80] S/2005/379.

Decisions

At the 5205th meeting also, following the adoption of resolution 1605 (2005), the President of the Security Council made the following statement on behalf of the Council:[81]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[80] states in paragraph 12: "... the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

At its 5212th meeting, on 22 June 2005, the Council considered the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[82]

> "The Security Council welcomes the Lebanese parliamentary elections held between 29 May and 19 June 2005. It commends the fair and credible character of the vote and pays tribute to the Lebanese people who demonstrated, throughout the process, their strong commitment to democracy, freedom and independence.
>
> "The Council congratulates the newly elected members of the Lebanese Parliament.
>
> "The Council commends the Government of Lebanon for the successful conduct of the elections, in accordance with the Constitution and the planned schedule. It expresses its appreciation for the advice and technical support given to the Lebanese authorities by the United Nations Electoral Assistance Division. The Council also pays tribute to the crucial contribution of the international observers, notably from the European Union. In this regard, it welcomes the report of the European Union observer mission and its conclusions regarding the satisfactory conduct of the four electoral stages.
>
> "The Council looks forward to the formation of a new government in the near future. It stresses that the establishment of this government in accordance with the constitutional rules and without any foreign interference would be another sign of the political independence and sovereignty of Lebanon.
>
> "The Council reaffirms that the Lebanese people must be allowed to decide the future of their country free of violence and intimidation. It strongly condemns, in this context, the recent terrorist acts in Lebanon, in particular the heinous assassination of former leader of the Communist Party George Hawi, and calls for their perpetrators to be brought to justice.
>
> "The Council reaffirms its profound commitment to a stable, secure and prosperous Lebanon. It underlines accordingly the need for the newly elected Lebanese authorities to exercise their full sovereignty over the entire territory, to preserve unity through national dialogue, to strengthen the nation's institutions and to respect the principles of good governance, in the sole interest of the Lebanese people.
>
> "The Council calls upon the international community to stand ready to examine possible requests from the newly elected Lebanese authorities for enhanced assistance and cooperation, in support of a credible governmental programme of political and economic reform.

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[81] S/PRST/2005/24.

[82] S/PRST/2005/26.

"The Council reiterates its call for the full implementation of all requirements of resolution 1559 (2004) and urges all concerned parties to cooperate fully with the Council and the Secretary-General to achieve this goal.

"The Council also calls for the full implementation of resolution 1595 (2005) and looks forward to the cooperation of the newly elected Lebanese authorities in this regard.

"The Council reaffirms its strong support for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon."

At its 5241st meeting, on 29 July 2005, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2005/460)".

Resolution 1614 (2005)
of 29 July 2005

The Security Council,

Recalling all its previous resolutions on Lebanon, including resolutions 425 (1978) and 426 (1978) of 19 March 1978 and 1583 (2005) of 28 January 2005, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[53]

Recalling also the letter dated 18 May 2001 from its President to the Secretary-General,[62]

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[61] as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Reaffirming that the Security Council has recognized the Blue Line as valid for the purpose of confirming the withdrawal of Israel pursuant to resolution 425 (1978) and that the Blue Line must be respected in its entirety,

Gravely concerned at the persistence of tension and violence along the Blue Line, in particular the hostilities that took place in May 2005 and the grave incident of 29 June 2005, which demonstrated once more that the situation remains volatile and fragile, as outlined in the report of the Secretary-General of 21 July 2005,[63]

Emphasizing once again the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also its resolution 1325 (2000) of 31 October 2000,

Recalling further the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[54]

Responding to the request of the Government of Lebanon to extend the mandate of the Force for a new period of six months presented in the letter dated 11 July 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,[64]

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[63] S/2005/460.

[64] S/2005/444.

Taking note of the opinion of the Secretary-General that the situation does not support a change in the mandate of the Force or another reconfiguration of the Force at this stage, and his recommendation that the mandate be extended with no changes to the strength and composition of the Force,

1. *Endorses* the report of the Secretary-General of 21 July 2005 on the United Nations Interim Force in Lebanon;[83]

2. *Decides* to extend the present mandate until 31 January 2006;

3. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries and under the sole and exclusive authority of the Government of Lebanon;

4. *Condemns* all acts of violence, including the recent incidents across the Blue Line that have resulted in deaths and injuries on both sides, expresses great concern about the serious breaches and the sea, land and continuing air violations of the withdrawal line, and urges the parties to put an end to these violations, to refrain from any act or provocation that could further escalate the tension and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel;

5. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the entire withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[67] and to exercise utmost restraint;

6. *Calls upon* the Government of Lebanon to fully extend and exercise its sole and effective authority throughout the south, including through the deployment of sufficient numbers of Lebanese armed and security forces, to ensure a calm environment throughout the area, including along the Blue Line, and to exert control and monopoly over the use of force on its entire territory and to prevent attacks from Lebanon across the Blue Line;

7. *Welcomes* the intention of the Secretary-General to discuss with the Government of Lebanon the next steps in preparing for an expansion of its authority in the south;

8. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile land and air patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent their escalation, while stressing the primary responsibility of the parties in this regard;

9. *Welcomes* the continued contribution of the Force to operational mine clearance, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and clearance of the remaining mine/unexploded ordnance threat in the south, commends donor countries for supporting those efforts through financial and in-kind contributions and encourages further international contributions, and stresses the necessity for the provision to the Government of Lebanon and the Force of any additional existing maps and minefield records;

10. *Calls upon* the parties to ensure that the Force is accorded full freedom of movement throughout its area of operation as outlined in the report of the Secretary-General, requests the Force to report any obstruction it may face in the discharge of its mandate, and reiterates its call upon the parties to cooperate fully with the United Nations and the Force;

11. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

12. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report thereon to the Council before the end of the present mandate as well as on the activities of the Force and the tasks presently carried out by the United Nations Truce Supervision Organization;

13. *Expresses its intention* to keep the mandate and structures of the Force under regular review, taking into account the prevailing situation on the ground, the activities actually performed by the Force in its area of operation, its contribution towards the remaining task of restoring international peace and security, the views of the Government of Lebanon and the implications for the Force of an increased presence of the Lebanese army in the south;

14. *Looks forward* to the early fulfilment of the mandate of the Force;

15. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 5241st meeting.

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS[85]

Decisions

On 11 August 2004, the President of the Security Council addressed the following letter to the Secretary-General:[86]

"Pursuant to paragraph 5 of Security Council resolution 1535 (2004) and taking note of the letter dated 6 August 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) (annex I), I am pleased to inform you that the Council has endorsed the organizational plan of the Counter-Terrorism Committee Executive Directorate that you submitted to the Committee on 29 July 2004 (annex II).

"Annex I

"Letter dated 6 August 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

"Pursuant to paragraph 5 of Security Council resolution 1535 (2004), I am pleased to inform you that the Counter-Terrorism Committee has endorsed the attached organizational plan of the Counter-Terrorism Committee Executive Directorate. Consistent with that resolution, this plan was submitted to the Committee by the Executive Director of the Counter-Terrorism Committee Executive Directorate, in consultation with and through the Secretary-General.

"I am now submitting this plan for endorsement by the Security Council.

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[85] Resolutions or decisions on this question were also adopted by the Security Council in 2001, 2002, 2003 and during the period from 1 January to 31 July 2004.

[86] S/2004/642.

"As provided in both Security Council resolution 1535 (2004) and the report of the Counter-Terrorism Committee on its revitalization,[87] the Committee looks forward to a close and cooperative relationship with the Executive Director and his staff with the goal of enhancing the ability of the Committee to monitor effectively the implementation of resolution 1373 (2001) by all Member States. In particular, and in the near term, the Committee considers that further discussions are needed between the Executive Director and the Committee, as appropriate, concerning the job descriptions for the positions in the Counter-Terrorism Committee Executive Directorate reflecting all areas of expertise covered by resolution 1373 (2001) and other relevant provisions of the declarations annexed to resolutions 1377 (2001) and 1456 (2003), as well as his plans for organizing the Executive Directorate, in particular the Assessment and Technical Assistance Office.

"The Counter-Terrorism Committee welcomes the fact that all posts in the Counter-Terrorism Committee Executive Directorate would be open to nationals of all States Members of the United Nations and that proper attention would be given to ensuring the closest cooperation and coordination with the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999), in accordance with resolutions 1455 (2003) and 1526 (2004), as well as with the work programme for the Counter-Terrorism Committee as approved by the Security Council.

"Annex II

"Letter dated 29 July 2004 from the Secretary-General addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

"I have the honour to refer to paragraph 4 of resolution 1535 (2004), in which the Security Council requests the Executive Director of the Counter-Terrorism Committee Executive Directorate, within 30 days of taking office, in consultation with and through the Secretary-General, to submit to the plenary, for its endorsement, an organizational plan for the Executive Directorate, consistent with the report of the Committee[87] and United Nations rules and regulations.

"I should be grateful if you would bring the attached organizational plan for the Counter-Terrorism Committee Executive Directorate to the attention of the members of the Committee.

"Enclosure

"Organizational plan for the Counter-Terrorism Committee Executive Directorate

"I. Introduction

"1. In paragraph 4 of its resolution 1535 (2004) of 26 March 2004, the Security Council requested the Executive Director of the Counter-Terrorism Committee Executive Directorate, within 30 days of taking office, to submit to the plenary, for its endorsement, in consultation with and through the Secretary-General, an organizational plan for the Executive Directorate. The present plan is submitted in response to that request.

"2. The resolution provides that the plan is to cover:

"*(a)* The structure of the Counter-Terrorism Committee Executive Directorate, its staffing requirements, budget needs, management guidelines and recruitment procedures, recognizing in particular the need for an effective, cooperative management structure for the new body;

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[87] S/2004/124, annex.

"(*b*) Staffing with suitably qualified and experienced personnel, who would be international civil servants subject to Article 100 of the Charter of the United Nations, securing the highest standards of efficiency, competence and integrity and paying due regard to the importance of recruiting the staff on as wide a geographical basis as possible.

"3. The present plan aims, first of all, to secure for the Counter-Terrorism Committee Executive Directorate the capacity, staffing and management that will enable it to fulfil the tasks mandated by the Security Council. At the same time, it endeavours to keep the structure effective and lean, in the sense of keeping the staffing level no higher than is strictly necessary for the performance of its responsibilities.

"4. According to paragraph 2 of resolution 1535 (2004), the Counter-Terrorism Committee Executive Directorate is to be established as a special political mission under the policy guidance of the plenary of the Counter-Terrorism Committee. Pursuant to paragraph 1 of resolution 1535 (2004), in which the Security Council endorsed the report of the Committee on its revitalization,[87] the Executive Directorate, headed by an Executive Director, will consist of two bodies, the Assessment and Technical Assistance Office and the Information and Administrative Office.

"5. The plan seeks to provide the Counter-Terrorism Committee Executive Directorate with an effective, lean and flexible structure designed to enhance the ability of the Counter-Terrorism Committee to monitor the implementation of resolution 1373 (2001). Among the priorities of the Executive Directorate will be:

"(*a*) To ensure the collection of information for monitoring the efforts of Member States in their implementation of resolution 1373 (2001), including through visits with the consent of the State concerned;

"(*b*) To strengthen the facilitation of technical assistance aimed at increasing the capabilities of Member States in the fight against terrorism and to ensure that its provision is adjusted to the countries' needs;

"(*c*) To enhance cooperation and coordination among international, regional and subregional organizations in the fight against terrorism, as well as among other United Nations bodies;

"(*d*) To ensure consistency among all the activities of the Committee while maintaining a tailored approach to each State Member of the United Nations and with regard to every subject under resolution 1373 (2001);

"(*e*) To provide adequate and complete follow-up of all the decisions of the Committee;

"(*f*) To ensure the correct exchange of information at the proper level, from the Offices (Assessment and Technical Assistance Office and Information and Administrative Office), the Executive Directorate itself and between the latter and other relevant bodies of the United Nations.

"6. The Counter-Terrorism Committee Executive Directorate is established as an integral part of the Secretariat. Its Executive Director reports directly to the Secretary-General, and the Executive Directorate is under the policy guidance of the plenary of the Counter-Terrorism Committee. The Executive Directorate is established for an initial period ending on 31 December 2007 and subject to a comprehensive review by the Security Council by 31 December 2005.

"A. Management structure

"7. The plan seeks to bring about an effective cooperative management structure. For the fulfilment of the tasks assigned to the Counter-Terrorism Committee Executive Directorate, it is indispensable that the different parts of the structure complement each other and cooperate. A weekly meeting led by the Executive Director and comprising senior and key staff is envisaged as an important means of ensuring cooperative management, mutual assistance and a sense of unity of purpose. A similar approach will be followed within both the Assessment and Technical Assistance Office and the Information and Administrative Office. The heads of the Offices will have the duty to ensure cohesion within their respective Offices and cooperation with other offices.

"B. Staffing

"8. The paramount consideration in the appointment of all staff of the Counter-Terrorism Committee Executive Directorate will be the necessity of securing the highest standards of efficiency, competence and integrity, in accordance with Article 101 of the Charter. Both staff and consultants will be drawn from the broadest possible geographical base and a special effort will be made to hire duly qualified women. Staff appointments will be limited to service within the Executive Directorate. The Executive Director, in order to ensure that the expert posts in the Assessment and Technical Assistance Office are advertised promptly and filled expeditiously, will consult with the Office of Human Resources Management of the Secretariat.

"9. The staff will be paid by the United Nations and will serve under the established conditions of service applicable to fixed-term staff. Rosters will be compiled of candidates with special skills and expertise. All States Members of the United Nations may be asked to put forward candidates with the necessary qualifications to fill the expert posts. On a temporary basis, ad hoc experts from international, regional and subregional organizations could also be engaged following arrangements by the Counter-Terrorism Committee Executive Directorate and those organizations. Reviews of the organizational structure and staffing will naturally have to be undertaken in the light of developments and future needs, with flexibility in mind.

"10. The present plan envisages that staff will be United Nations employees subject to Article 100 of the Charter, which requires that they shall neither seek nor receive instructions from any other authority external to the Organization.

"II. Responsibilities of the Counter-Terrorism Committee Executive Directorate

"11. The main task of the Counter-Terrorism Committee Executive Directorate and its Executive Director is to support and advise the plenary of the Counter-Terrorism Committee and its Chairman in all their functions. The Executive Directorate is entrusted with carrying out the day-to-day work of the Committee while, at the same time, advising the Chairman and the plenary concerning courses of action to monitor effectively the implementation of resolution 1373 (2001). Special care will be taken to facilitate the provision of assistance programmes to States by strengthening contacts with States, other bodies of the United Nations system, including the United Nations Office on Drugs and Crime, and relevant international, regional and subregional organizations.

"12. The concrete functions of the Counter-Terrorism Committee Executive Directorate as described in the report of the Counter-Terrorism Committee on its revitalization,[87] endorsed in paragraph 1 of resolution 1535 (2004), include a wide range aimed at enabling the Committee to monitor effectively the implementation of resolution 1373 (2001).

"III. Outline of the organizational structure of the Counter-Terrorism Committee Executive Directorate

"13. The Executive Director will be assisted by a Special Assistant, a Public Information and Communications Officer, responsible for implementing a proactive communications policy, as is foreseen in the report on the revitalization of the Counter-Terrorism Committee,[87] and a Personal Assistant.

"A. Assessment and Technical Assistance Office

"14. The Assessment and Technical Assistance Office will have a head of office who will replace the Executive Director during his absence and ensure the proper coordination of its work. The Office will be composed of 20 experts, who will be organized by the Executive Director, in close and continuous consultation with his team, in a manner to ensure the effective implementation of the mandate of the Counter-Terrorism Committee Executive Directorate, taking into account the geographical and functional needs and the interaction with the subcommittees of the Counter-Terrorism Committee. As the work evolves, the structure should be open to be adapted to meet new challenges.

"15. The Assessment and Technical Assistance Office will have expertise in every area covered by resolution 1373 (2001) and other relevant provisions of the declarations annexed to resolutions 1377 (2001) and 1456 (2003), representing all main legal systems. Recruitment of staff will follow the requirements established in Article 100 of the Charter and other relevant United Nations rules and regulations. Specific job descriptions, as required in consultations with the Office of Human Resources Management, will be prepared by the Executive Director to cover every area of resolution 1373 (2001).

"16. The Executive Director will ensure that every relevant international, regional and subregional organization has a contact point within the Assessment and Technical Assistance Office, including the need to liaise with the Office of the United Nations High Commissioner for Human Rights and other organizations competent in matters related to human rights and counter-terrorism.

"B. Information and Administrative Office

"17. The main responsibility of the Information and Administrative Office is to provide assistance to the Executive Director, to the Assessment and Technical Assistance Office and to the Counter-Terrorism Committee. The Information and Administrative Office will have a head ensuring the proper coordination of its work.

"18. Furthermore, the staff of the Information and Administrative Office will ensure the necessary administrative needs of the Counter-Terrorism Committee Executive Directorate and the Counter-Terrorism Committee, taking into account, among other things, the keeping of centralized files, registry and database, editing of the reports and support staff.

"IV. Outline of the cost forecast for the Counter-Terrorism Committee Executive Directorate

"19. The financial requirements of the Counter-Terrorism Committee Executive Directorate will be submitted in the report of the Secretary-General to the General Assembly for its consideration.

"A. Personnel costs

"20. The personnel that will work for the Counter-Terrorism Committee Executive Directorate will be in accordance with the needs identified in the report of the Counter-Terrorism Committee on its revitalization,[57] endorsed in paragraph 1 of resolution 1535 (2004).

"B. Premises

"21. The Counter-Terrorism Committee Executive Directorate would be accommodated in suitable premises, taking into account all relevant functional and security considerations.

"C. Travel

"22. According to the report of the Counter-Terrorism Committee on its revitalization, among the priorities of the Committee, through the Counter-Terrorism Committee Executive Directorate, is to strengthen the facilitation of technical assistance to States and to enhance cooperation and coordination among international, regional and subregional organizations. To comply with this task, the Committee, through the Executive Directorate, must continue and reinforce its presence in action-oriented international and national conferences, seminars, workshops etc. In addition, as established in resolution 1535 (2004), the Committee, through the Executive Directorate, would conduct visits to States, where appropriate and with the consent of the State concerned.

"23. The Executive Director will report to the plenary of the Counter-Terrorism Committee on the travels carried out by him personally or authorized by him to members of the staff of the Counter-Terrorism Committee Executive Directorate.

"D. Temporary arrangements

"24. In paragraph 7 of its resolution 1535 (2004), the Security Council stressed that, to ensure that the Counter-Terrorism Committee continues to operate effectively during the consolidation of the support structure of the Committee into the Counter-Terrorism Committee Executive Directorate, the Committee would continue to operate with its present support structure until the Committee, in consultation with the Secretary-General, determines that the Executive Directorate is operational. In this regard, the Executive Director of the Counter-Terrorism Committee Executive Directorate, while following the United Nations Financial and Staff Regulations and Rules, will make the necessary arrangements to comply with the provisions of the Security Council resolution as the process to formalize the structure of the Executive Directorate progresses."

At its 5026th meeting, on 1 September 2004, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[19]

"The Security Council condemns in the strongest terms the heinous terrorist act involving the taking of hostages at a secondary school in the town of Beslan, Russian Federation, on 1 September 2004, as well as other terrorist attacks committed recently against innocent civilians in Moscow and on two Russian airliners, in which many lives were lost and people injured.

"The Council demands the immediate and unconditional release of all hostages in the terrorist attack.

"The Council expresses its deepest sympathy and condolences to the people and the Government of the Russian Federation and to the victims of the terrorist acts and their families.

"The Council urges all States, in accordance with their obligations under resolution 1373 (2001), to cooperate actively with the Russian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of these terrorist acts.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.

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[19] S/PRST/2004/31.

"The Council expresses its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations."

At its 5031st meeting, on 13 September 2004, the Council decided to invite the representatives of Australia, India, Indonesia, Japan, Malaysia, the Netherlands and Singapore to participate, without vote, in the discussion of the item entitled:

"Threats to international peace and security caused by terrorist acts

"Letter dated 23 August 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council (S/2004/679)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

At its 5053rd meeting, on 8 October 2004, the Council decided to invite the representative of Turkey to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1566 (2004) of 8 October 2004

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999 and 1373 (2001) of 28 September 2001, as well as its other resolutions concerning threats to international peace and security caused by terrorism,

Recalling, in this regard, its resolution 1540 (2004) of 28 April 2004,

Reaffirming the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations and international law,

Deeply concerned by the increasing number of victims, including children, of acts of terrorism motivated by intolerance or extremism in various regions of the world,

Calling upon States to cooperate fully with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee), including the recently established Counter-Terrorism Committee Executive Directorate, the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and its Analytical Support and Sanctions Monitoring Team, and the Security Council Committee established pursuant to resolution 1540 (2004), and further calling upon those bodies to enhance cooperation with each other,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Considering that acts of terrorism seriously impair the enjoyment of human rights and threaten the social and economic development of all States and undermine global stability and prosperity, *Emphasizing* that enhancing dialogue and broadening understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation, which by itself is necessary to sustain the broadest possible fight against terrorism,

Reaffirming its profound solidarity with victims of terrorism and their families,

Acting under Chapter VII of the Charter,

1. *Condemns in the strongest terms* all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security;

2. *Calls upon* States to cooperate fully in the fight against terrorism, especially with those States where or against whose citizens terrorist acts are committed, in accordance with their obligations under international law, in order to find, deny safe haven to and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens;

3. *Recalls* that criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or the taking of hostages, with the purpose of provoking a state of terror in the general public or in a group of persons or particular persons, intimidating a population or compelling a government or an international organization to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and calls upon all States to prevent such acts and to ensure that such acts, if not prevented, are punished by penalties consistent with their grave nature;

4. *Calls upon* all States to become party, as a matter of urgency, to the relevant international conventions and protocols whether or not they are party to regional conventions on the matter;

5. *Calls upon* Member States to cooperate fully on an expedited basis in resolving all outstanding issues with a view to adopting by consensus the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism;

6. *Calls upon* relevant international, regional and subregional organizations to strengthen international cooperation in the fight against terrorism and to intensify their interaction with the United Nations and, in particular, the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee), with a view to facilitating full and timely implementation of resolution 1373 (2001);

7. *Requests* the Counter-Terrorism Committee, in consultation with relevant international, regional and subregional organizations and the United Nations bodies, to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism;

8. *Directs* the Counter-Terrorism Committee, as a matter of priority and, when appropriate, in close cooperation with relevant international, regional and subregional organizations, to start visits to States, with the consent of the States concerned, in order to enhance the monitoring of the implementation of resolution 1373 (2001) and facilitate the provision of technical and other assistance for such implementation;

9. *Decides* to establish a working group consisting of all members of the Security Council to consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the Security Council Committee established pursuant to resolution

1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing their financial assets, preventing their movement through the territories of Member States, and preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures;

10. *Requests* the working group established pursuant to paragraph 9 above to consider the possibility of establishing an international fund to compensate victims of terrorist acts and their families, which might be financed through voluntary contributions which could consist in part of assets seized from terrorist organizations, their members and their sponsors, and submit its recommendations to the Council;

11. *Requests* the Secretary-General to take, as a matter of urgency, appropriate steps to make the Counter-Terrorism Committee Executive Directorate fully operational and to inform the Council by 15 November 2004;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5053rd meeting.

Decisions

At its 5059th meeting, on 19 October 2004, the Security Council decided to invite the representatives of Bangladesh, Canada, Costa Rica, Cuba, Egypt, El Salvador, Fiji, India, Indonesia, Israel, Japan, Liechtenstein, Malaysia, Nepal, the Netherlands, Nigeria, Peru, the Republic of Korea, Samoa, Switzerland, Thailand, Uganda and Ukraine to participate, without vote, in the discussion of the item entitled:

> "Threats to international peace and security caused by terrorist acts
>
> > "Letter dated 15 October 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/820)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Andrey Denisov, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and Mr. Javier Ruperez, Executive Director of the Counter-Terrorism Committee Executive Directorate.

Upon resumption of the meeting, on 19 October 2004, the Council further decided to invite the representative of Colombia to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[89]

> "The Security Council welcomes the briefing by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) on the work of the Committee.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.
>
> "The Council recalls the statement by its President of 19 July 2004,[90] resolution 1535 (2004), which indicated the intention of the Council to review the structure and

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[89] S/PRST/2004/37.

[90] S/PRST/2004/26.

activities of the Counter-Terrorism Committee, and resolution 1566 (2004) emphasizing additional measures aimed at strengthening international cooperation in combating terrorism.

"The Council invites the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the Committee for the thirteenth 90-day period"[71] focusing on practical measures to implement resolution 1535 (2004) on the revitalization of the Committee, including implementation of the organizational plan for the Counter-Terrorism Committee Executive Directorate,[69] and resolution 1566 (2004). These measures will embrace further work to increase the capacity of the Committee, including through enhanced cooperation with the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and the Security Council Committee established pursuant to resolution 1540 (2004).

"The Council notes the importance of continuing the efforts of the Counter-Terrorism Committee to enhance the capabilities of Member States to combat terrorism, to identify and address the problems faced by States in implementing resolution 1373 (2001), to facilitate the provision of technical assistance adjusted to the countries' needs, to encourage the largest possible number of States to become parties to the international conventions and protocols related to counter-terrorism, and to strengthen its dialogue and cooperation with international, regional and subregional organizations acting in the areas outlined in resolution 1373 (2001).

"The Council invites the Counter-Terrorism Committee to continue preparing and begin sending to Member States assessments of their assistance needs for eventual sharing with interested donor States and organizations, and to accelerate the preparations for the first visits to Member States with their consent in order to enhance the monitoring of the implementation of resolution 1373 (2001) and facilitate the provision of technical and other assistance for such implementation.

"The Council, recalling paragraph 7 of resolution 1566 (2004), invites the Counter-Terrorism Committee to start, in consultation with relevant international, regional and subregional organizations and United Nations bodies, to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism.

"The Council notes that, as of 30 September 2004, 78 States had not submitted their respective reports to the Counter-Terrorism Committee on time as set out in resolution 1373 (2001). It calls upon them urgently to do so, in order to maintain the universality of response which resolution 1373 (2001) requires.

"The Council invites the Counter-Terrorism Committee to continue reporting on its activities at regular intervals and expresses its intention to review the structure and activities of the Committee in January 2005."

At its 5104th meeting, on 17 December 2004, the Council decided to invite the representatives of Indonesia, Japan and Thailand to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

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[71] S/2004/820, annex.

At its 5113th meeting, on 18 January 2005, the Council decided to invite the representatives of Kazakhstan, Liechtenstein, Luxembourg and Paraguay to participate, without vote, in the discussion of the item entitled:

> "Threats to international peace and security caused by terrorist acts
>
> > "Letter dated 13 January 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2005/22)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Andrey Denisov, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[92]

> "The Security Council welcomes the briefing by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) on the work of the Committee.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.
>
> "The Council recalls the statement by its President of 19 October 2004,[89] which indicated the intention of the Council to review the structure and activities of the Counter-Terrorism Committee, resolution 1535 (2004) on the revitalization of the Committee and resolution 1566 (2004) emphasizing the urgent need to strengthen international cooperation in combating terrorism.
>
> "The Council invites the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the Committee for the fourteenth 90-day period.[93] It invites the Committee, in particular, to ensure that Counter-Terrorism Committee Executive Directorate becomes fully operational in the shortest possible time, and to take additional measures to enhance cooperation with the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and the Security Council Committee established pursuant to resolution 1540 (2004) and to initiate contacts with the Security Council Working Group established pursuant to resolution 1566 (2004).
>
> "The Council notes the importance of continuing the efforts of the Counter-Terrorism Committee in the following key areas: to enhance the capabilities of Member States to combat terrorism, to identify and address the problems faced by States in implementing resolution 1373 (2001), to facilitate the provision of technical assistance and cooperation adjusted to the recipient countries' needs, to encourage the largest possible number of States to become parties to the international conventions and protocols related to counter-terrorism, and to strengthen its dialogue and cooperation with international, regional and subregional organizations acting in the areas outlined in resolution 1373 (2001).
>
> "The Council welcomes the intention of the Counter-Terrorism Committee to hold its fourth special meeting with international, regional and subregional organizations from 26 to 28 January 2005 in Almaty, Kazakhstan.

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[92] S/PRST/2005/3.

[93] S/2005/22, annex.

"The Council invites the Counter-Terrorism Committee to accelerate the preparation of assessments of Member States' assistance needs so that these can be shared with the relevant States and, in due course, with interested donor States and organizations. The Council invites the Committee to conduct the first of its visits to Member States in March 2005 in order to enhance the monitoring by the Committee of the implementation of resolution 1373 (2001) and to facilitate the provision of technical and other assistance for such implementation.

"The Council notes that, as of 16 December 2004, 75 States had not submitted their respective reports to the Counter-Terrorism Committee on time as set out in resolution 1373 (2001). It calls upon them urgently to do so, in order to maintain the universality of response which the threat of terrorism and the implementation of resolution 1373 (2001) require.

"The Council invites the Counter-Terrorism Committee to continue reporting on its activities at regular intervals."

At its 5223rd meeting, on 7 July 2005, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1611 (2005)
of 7 July 2005

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular resolutions 1373 (2001) of 28 September 2001 and 1566 (2004) of 8 October 2004,

Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns without reservation* the terrorist attacks in London on 7 July 2005, and regards any act of terrorism as a threat to peace and security;

2. *Expresses its deepest sympathy and condolences* to the victims of these terrorist attacks and their families, and to the people and Government of the United Kingdom of Great Britain and Northern Ireland;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate actively in efforts to find and bring to justice the perpetrators, organizers and sponsors of these barbaric acts;

4. *Expresses its utmost determination* to combat terrorism, in accordance with its responsibilities under the Charter of the United Nations.

Adopted unanimously at the 5223rd meeting.

Decisions

At its 5224th meeting, on 8 July 2005, the Security Council decided to invite the representative of Egypt to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[34]

"The Security Council condemns in the strongest possible terms the assassination of the recently appointed Head of the Egyptian Mission to Iraq, Ambassador Ihab El Sherif, on

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[34] S/PRST/2005/29.

> 7 July 2005 and expresses its condolences to the family of the victim and to the Government and people of Egypt.
>
> "The Council also condemns all terrorist attacks in Iraq, including the attempted assassinations of diplomats from Bahrain and Pakistan and attacks against other civilian personnel.
>
> "The Council emphasizes that there can be no justification for such terrorist acts and underlines the need to bring to justice the perpetrators.
>
> "The Council reaffirms its unwavering support for the Iraqi people in their political transition, as outlined in its resolution 1546 (2004). The Council also reaffirms the independence, sovereignty, unity and territorial integrity of Iraq and calls upon the international community to stand by the Iraqi people in their pursuit of peace, stability and democracy.
>
> "The Council welcomes Egypt's continued commitment in this regard, as stated in the letter dated 7 July 2005 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Council,[95] and recognizes the important role of Egypt and other neighbouring countries in supporting the political process, helping to control transit across Iraq's borders, and extending other support to the Iraqi people."

At its 5239th meeting, on 27 July 2005, the Council decided to invite the representative of Egypt to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[96]

> "The Security Council unequivocally condemns the terrorist attacks that took place in Sharm El-Sheikh, Egypt, on 23 July 2005, and expresses its deepest sympathy and condolences to the victims of these attacks and their families, and to the people and Government of Egypt as well as to all other countries whose citizens have been killed or injured in these attacks.
>
> "The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this horrendous act to justice and urges all States, in accordance with their obligations under international law and resolution 1373 (2001), to cooperate actively with the Egyptian authorities in this regard.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.
>
> "The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts.
>
> "The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

At its 5240th meeting, on 27 July 2005, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

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[95] S/2005/438.

[96] S/PRST/2005/36.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[97]

"The Security Council condemns in the strongest possible terms the assassination, today, 27 July 2005, of the two Algerian diplomats accredited to the Algerian Embassy to Iraq, Mr. Ali Belaroussi and Mr. Azzedine Belkadi, and expresses its condolences to the families of the victims and to the Government and people of Algeria.

"The Council emphasizes that there can be no justification for such terrorist acts and underlines the need to bring to justice the perpetrators.

"The Council reaffirms its unwavering support for the Iraqi people in their political transition, as outlined in resolution 1546 (2004). The Council also reaffirms the independence, sovereignty, unity and territorial integrity of Iraq and calls upon the international community to stand by the Iraqi people in their pursuit of peace, stability and democracy."

At its 5244th meeting, on 29 July 2005, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1617 (2005)
of 29 July 2005

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004 and 1566 (2004) of 8 October 2004, and the relevant statements by its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida, Osama bin Laden, the Taliban – and associated individuals, groups, undertakings and entities – for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its concern over the use of various media, including the Internet, by Al-Qaida, Osama bin Laden and the Taliban, and their associates, including for terrorist propaganda and inciting terrorist violence, and urging the Security Council Working Group established pursuant to resolution 1566 (2004) to consider these issues,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Emphasizing the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to the Taliban or Al-Qaida, and any individuals, groups, undertakings or entities associated with Al-Qaida, Osama bin Laden or the Taliban who have participated in financing, planning, facilitating, recruiting for, preparing, perpetrating, or otherwise supporting terrorist activities or acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

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[97] S/PRST/2005/37.

Stressing the importance of clarifying which individuals, groups, undertakings and entities are subject to listing in the light of information regarding the changing nature of, and threat from, Al-Qaida, particularly as reported by the Analytical Support and Sanctions Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) ("the Monitoring Team"),

Underscoring the importance of Member State designations pursuant to relevant resolutions and robust implementation of existing measures as a significant preventive measure in combating terrorist activity,

Noting that, in giving effect to the measures outlined in paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Welcoming the efforts of the International Civil Aviation Organization to prevent travel documents from being made available to terrorists and their associates,

Encouraging Member States to work within the framework of Interpol, in particular through the use of the Interpol database of stolen and lost travel documents, to reinforce the implementation of the measures against Al-Qaida, Osama bin Laden and the Taliban, and their associates,

Expressing its concern over the possible use by Al-Qaida, Osama bin Laden or the Taliban, and their associates, of man-portable air defence systems, commercially available explosives and chemical, biological, radiation or nuclear weapons and material, and encouraging Member States to consider possible action to reduce these threats,

Urging all States, international bodies and regional organizations to allocate sufficient resources, including through international partnership, to meet the ongoing and direct threat posed by Al-Qaida, Osama bin Laden and the Taliban, and individuals, groups, undertakings and entities associated with them,

Stressing the importance of meeting the ongoing threat that Al-Qaida, Osama bin Laden and the Taliban, and individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter,

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Al-Qaida, Osama bin Laden and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List"):

(*a*) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons, by their nationals or by any persons within their territory;

(*b*) Prevent the entry into or the transit through their territories of those individuals, provided that nothing in the present paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that the present paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Security Council Committee established pursuant to resolution 1267 (1999) ("the Committee") determines on a case-by-case basis only that entry or transit is justified;

(*c*) Prevent the direct or indirect supply, sale or transfer, to those individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, and technical advice, assistance, or training related to military activities;

2. *Also decides* that acts or activities indicating that an individual, group, undertaking or entity is "associated with" Al-Qaida, Osama bin Laden or the Taliban include:

(*a*) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(*b*) Supplying, selling or transferring arms and related materiel to;

(*c*) Recruiting for; or

(*d*) Otherwise supporting acts or activities of;

Al-Qaida, Osama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further decides* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Osama bin Laden or the Taliban shall be eligible for designation;

4. *Decides* that, when proposing names for the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and henceforth also shall provide to the Committee a statement of case describing the basis of the proposal, and further encourages States to identify any undertakings and entities owned or controlled, directly or indirectly, by the proposed subject;

5. *Requests* relevant States to inform, to the extent possible, and in writing where possible, individuals and entities included in the Consolidated List of the measures imposed on them, the guidelines of the Committee, and, in particular, the listing and de-listing procedures and the provisions of resolution 1452 (2002);

6. *Decides* that the statement of case submitted by the designating State referred to in paragraph 4 above may be used by the Committee in responding to queries from Member States whose nationals, residents or entities have been included on the Consolidated List, decides also that the Committee may decide on a case-by-case basis to release the information to other parties, with the prior consent of the designating State, for example, for operational reasons or to aid the implementation of the measures, and decides further that States may continue to provide additional information which shall be kept on a confidential basis within the Committee unless the submitting State agrees to the dissemination of such information;

7. *Strongly urges* all Member States to implement the comprehensive, international standards embodied in the Forty Recommendations and the nine Special Recommendations on Terrorist Financing of the Financial Action Task Force on Money Laundering;[38]

8. *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and Interpol in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 above;

9. *Urges* all Member States, in their implementation of the measures called for in paragraph 1 above, to ensure that stolen and lost passports and other travel documents are invalidated as soon as possible and to share information on those documents with other Member States through the Interpol database;

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[38] Available from www.fatf-gafi.org.

10. *Calls upon* all Member States to use the checklist contained in annex II to the present resolution to report to the Committee by 1 March 2006 on specific actions that they have taken to implement the measures outlined in paragraph 1 above with regard to individuals and entities henceforth added to the Consolidated List, and thereafter at intervals to be determined by the Committee;

11. *Directs* the Committee to encourage the submission of names and additional identifying information from Member States for inclusion on the Consolidated List;

12. *Calls upon* the Committee, working in cooperation with the Security Council Committee established pursuant to resolution 1373 (2001) ("the Counter-Terrorism Committee") to inform the Council of specific additional steps that States could take to implement the measures outlined in paragraph 1 above;

13. *Reiterates* the need for ongoing close cooperation and exchange of information between the Committee, the Counter-Terrorism Committee and the Security Council Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information-sharing, coordinated visits to countries, technical assistance and other issues of relevance to all three committees;

14. *Also reiterates* the importance of having the Committee follow up via oral and/or written communications with Member States regarding effective implementation of the sanctions measures and provide Member States with an opportunity, at the request of the Committee, to send representatives to meet with the Committee for more in-depth discussion of relevant issues;

15. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with the present resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003) and 1526 (2004);

16. *Also requests* the Committee to report orally, through its Chairman, at least every one hundred and twenty days to the Council on the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

17. *Reminds* the Committee of its responsibilities as outlined in paragraph 14 of resolution 1455 (2003) and paragraph 13 of resolution 1526 (2004), and calls upon the Committee to provide the Council, no later than 31 July 2006, with an update of the written assessment referred to in paragraph 13 of resolution 1526 (2004) of actions taken by Member States to implement the measures described in paragraph 1 above;

18. *Requests* that the Committee continue its work on its guidelines, including on listing and de-listing procedures, and implementation of resolution 1452 (2002), and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 16 above, to provide progress reports on the work of the Committee on these issues;

19. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the New York-based Monitoring Team for a period of seventeen months, under the direction of the Committee, with the responsibilities outlined in annex I to the present resolution;

20. *Requests* the Secretary-General, upon adoption of the present resolution and acting in close consultation with the Committee, to appoint, consistent with United Nations rules and procedures, no more than eight members, including a coordinator, to the Monitoring Team, taking into account the areas of expertise referred to in paragraph 7 of resolution 1526 (2004);

21. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in seventeen months, or sooner if necessary;

22. *Also decides* to remain actively seized of the matter.

Adopted unanimously at the 5244th meeting.

Annex I to resolution 1617 (2005)

In accordance with paragraph 19 of this resolution, the Monitoring Team shall operate under the direction of the Security Council Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(*a*) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(*b*) To submit a comprehensive programme of work to the Committee for its approval and review, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the Counter-Terrorism Committee Executive Directorate to avoid duplication and reinforce synergies;

(*c*) To submit, in writing, three comprehensive, independent reports to the Committee, the first by 31 January 2006, the second by 31 July 2006, and the third by 10 December 2006, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures, as well as reporting on listing, de-listing, and exemptions pursuant to resolution 1452 (2002);

(*d*) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of this resolution, and other information submitted by Member States to the Committee as instructed by the Committee;

(*e*) To work closely and share information with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Security Council Committee established pursuant to resolution 1540 (2004) to identify areas of convergence and to help to facilitate concrete coordination among the three Committees;

(*f*) To develop a plan to assist the Committee with addressing non-compliance with the measures referred to in paragraph 1 of this resolution;

(*g*) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(*h*) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(*i*) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

(*j*) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it;

(*k*) To consult with Member States, including regular dialogue with representatives in New York and in capitals, taking into account comments from Member States, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (*c*) of this annex;

(*l*) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(*m*) To assist the Committee in preparing oral and written assessments to the Council, in particular the analytical summaries referred to in paragraphs 17 and 18 of this resolution;

(*n*) Any other responsibility identified by the Committee.

Annex II to resolution 1617 (2005)

1267 Committee Checklist

Please provide to the United Nations 1267 (Al-Qaida/Taliban Sanctions) Committee by XXX date information on the following individuals, groups, undertakings, and entities added in the last six months to the Committee's Consolidated List of those subject to the sanctions described in Security Council resolution 1267 (1999) and successor resolutions.

This information is provided by the Government of ______________ on XXX date.

YES NO

1. Mr. Doe (Number ____ on Consolidated List)
   - A. Name added to visa lookout list?
   - B. Any visas denied?
   - C. Financial institutions notified?
   - D. Any assets frozen?
   - E. Arms embargo ban implemented?
   - F. Any attempts to purchase arms?

   Additional information, if available:

YES NO

2. The Doe Corp. (Number ____ on Consolidated List)
   - A. Financial institutions notified?
   - B. Any assets frozen?
   - C. Arms embargo ban implemented?
   - D. Any attempts to purchase arms?

   Additional information, if available:

THE SITUATION BETWEEN IRAQ AND KUWAIT[illegible]

Decision

At its 5020th meeting, on 12 August 2004, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 24 of resolution 1483 (2003) and paragraph 12 of resolution 1511 (2003) (S/2004/625)".

[illegible] Resolutions or decisions on this question have been adopted by the Security Council every year since 1990. In accordance with a note by the President of the Security Council dated 18 April 2005 (S/2005/251), members of the Council agreed that issues relating to the return of all Kuwaiti property, the repatriation or return of all Kuwaiti and third-country nationals or their remains, and the United Nations Compensation Commission would be considered under the item entitled "The situation between Iraq and Kuwait". Other issues that did not fall under this category would be considered under the item entitled "The situation concerning Iraq".

Resolution 1557 (2004)
of 12 August 2004

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolutions 1500 (2003) of 14 August 2003 and 1546 (2004) of 8 June 2004,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Recalling the establishment of the United Nations Assistance Mission for Iraq on 14 August 2003, and reaffirming that the United Nations should play a leading role in assisting the Iraqi people and government in the formation of institutions for representative government,

Welcoming the appointment by the Secretary-General of his new Special Representative for Iraq,

Having considered the report of the Secretary-General of 5 August 2004,[100]

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq for a period of twelve months from the date of the present resolution;

2. *Expresses its intention* to review the mandate of the Mission in twelve months or sooner if requested by the Government of Iraq;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 5026th meeting.

Decisions

At its 5033rd meeting, on 14 September 2004, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/710 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

At the same meeting, in accordance with the understanding reached in its prior consultations, Mr. John Danforth, Permanent Representative of the United States of America to the United Nations, on behalf of the multinational force, briefed the Council on the item under consideration.

At its 5047th meeting, on 1 October 2004, the Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 21 September 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/764)".

Following the decision taken at the 5047th meeting, the President of the Security Council addressed the following letter to the Secretary-General:[101]

> "I have the honour to inform you that your letter dated 21 September 2004 concerning the establishment of an integrated United Nations security structure for the United Nations

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[100] S/2004/625.

[101] S/2004/765.

Assistance Mission for Iraq[illegible] has been brought to the attention of the Security Council. The Council welcomes the proposed arrangements set out in your letter and urges Member States to respond positively with contributions."

At its 5092nd meeting, on 30 November 2004, the Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council (S/2004/927)".

Following the decision taken at the 5092nd meeting, the President of the Security Council addressed the following letter to the Secretary-General:[illegible]

> "The Security Council recalls its resolution 1546 (2004), in which it welcomed a new phase in Iraq's transition, set forth the mandate of the United Nations Assistance Mission for Iraq and called upon Member States to provide resources to a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq.
>
> "Since the adoption of the resolution on 8 June 2004, a number of States have stepped forward to offer forces and financial support to the dedicated United Nations protection force. However, there is no mechanism to receive financial contributions and disburse support to force contributors. Having considered the letter from the Permanent Representative of the Netherlands to the United Nations,[illegible] and taking note of your correspondence with the Minister for Foreign Affairs of the Netherlands as President of the Council of the European Union,[illegible] the Security Council welcomes the willingness expressed therein to establish a special account of the United Nations ("trust fund") and specifically endorses the creation of such a trust fund for accepting and administering contributions from Member States for the purpose of financially supporting the "distinct entity" to provide security for the United Nations presence in Iraq mandated by resolution 1546 (2004). In order to recover the full amount of funds pledged, the Council requests that you establish the trust fund without delay and no later than 3 December 2004. Delay will slow deployment of forces and mean a loss of financial contributions.
>
> "The Council welcomes the financial and force contributions of Member States and calls for continued support of the Mission and its protection force."

At its 5099th meeting, on 13 December 2004, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/959)".

At its 5123rd meeting, on 16 February 2005, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

[illegible] S/2004/764.

[illegible] S/2004/928.

[illegible] S/2004/927.

At its 5124th meeting, on 16 February 2005, the Council, in accordance with the decision taken at the 5123rd meeting, decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[illegible]

> "The Security Council congratulates the people of Iraq on the successful elections of 30 January 2005. These elections represent a historic moment for Iraq and a positive step in its political transition. In turning out to the polls, Iraqis demonstrated their respect for the rule of law and non-violence. They voted for democracy and full ownership of their affairs. The Council commends the Iraqi people for having taken this step to exercise their right to freely determine their own political future and encourages them to continue to do so in moving ahead with their political transition.
>
> "The Council congratulates the newly-elected coalitions and individuals in these elections.
>
> "The elections took place under difficult conditions, and the Council salutes the bravery of the Iraqi people who demonstrated their commitment to democracy, defying the terrorists. The Council commends the tens of thousands of Iraqis who ran as candidates, administered the elections, staffed the polls, observed the elections and provided security. The Council gives special recognition to the Independent Electoral Commission of Iraq for its fortitude and organizational skill in administering the elections.
>
> "The Council commends the Secretary-General and the United Nations for successfully assisting election preparations, including advice and support extended to the Iraqis by the Special Representative of the Secretary-General for Iraq Ashraf Jehangir Qazi, the United Nations Assistance Mission for Iraq, particularly the lead electoral adviser Carlos Valenzuela, the United Nations Electoral Assistance Division and its Director Carina Perelli. The Council also appreciates the assistance given by other international actors, including European Union electoral experts.
>
> "The Council also notes the commendable role played by the Iraqi security forces and the Multinational Force-Iraq in providing security for the elections.
>
> "These elections are an important step for Iraq's political transition, as outlined in Council resolution 1546 (2004). The Council looks forward to the seating of the Transitional National Assembly and the formation of a new Transitional Government of Iraq in the near future. A Constitution of Iraq, to be drafted under the authority of the Transitional National Assembly, is expected to be put to a referendum by October 2005 and followed by general elections by December 2005 under the new Constitution. The Council affirms its continuing support for the Iraqi people in their political transition and reaffirms the independence, sovereignty, unity and territorial integrity of Iraq.
>
> "Underlining the importance of the maximum possible participation of all components of Iraqi society in the political process, the Council stresses the need for sustained political efforts aimed at making the next steps of the transition, in particular the coming constitutional process, as inclusive, participatory and transparent as possible. The Council welcomes the statements recently made by Iraqi leaders in this regard, and strongly encourages the Transitional Government of Iraq and the Transitional National Assembly to reach out broadly to all segments of Iraqi society, with a view to promoting genuine political dialogue and national reconciliation and to ensuring that all Iraqis are duly represented and have a voice in the political process and the drafting of the Iraqi Constitution.

[illegible] S/PRST/2005/5.

"The Council reaffirms the leading role of the Special Representative of the Secretary-General for Iraq and the United Nations Assistance Mission for Iraq set out in resolution 1546 (2004) in support of Iraq's own efforts and as requested by the Government of Iraq, to promote national dialogue and consensus-building on the drafting of a national constitution. In this regard, the Council urges the United Nations to prepare itself rapidly and encourages the members of the international community to provide advisers and technical support to the United Nations to help it to fulfil this role.

"The Council condemns, in the strongest possible terms, acts of terrorism in Iraq, which should not be allowed to disrupt Iraq's political and economic transition. The Council calls upon those who use violence in an attempt to subvert the political process to lay down their arms and participate in the political process. It encourages the Iraqi authorities to engage with all those who renounce violence and to create a political atmosphere conducive to national reconciliation and political competition through peaceful means.

"The Council stresses the continued importance of Iraq's neighbouring countries and regional organizations in supporting the political process, cooperating with the Iraqi authorities to control transit across Iraq's borders and extending other support for the people of Iraq in their efforts to achieve security and prosperity.

"Consistent with resolution 1546 (2004), the Council reaffirms its support for a federal, democratic, pluralist and unified Iraq, in which there is full respect for human rights. It welcomes the support of the international community to Iraq and underlines the importance of enhanced and expeditious assistance from all States and relevant international organizations in support of Iraq's further implementation of the political transition process and efforts to achieve national reconciliation, economic reconstruction and stability, in accordance with resolution 1546 (2004)."

At its 5161st meeting, on 11 April 2005, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

"Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2005/141 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

At the same meeting, in accordance with the understanding reached in its prior consultations, Mrs. Anne Patterson, Deputy Permanent Representative of the United States of America to the United Nations, on behalf of the multinational force, briefed the Council on the item under consideration.

THE SITUATION IN BURUNDI[illegible]

Decisions

At its 5021st meeting, on 15 August 2004, the Security Council considered the item entitled "The situation in Burundi".

[illegible] Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[107]

> "The Security Council condemns with the utmost firmness the massacre of refugees from the Democratic Republic of the Congo which occurred on the territory of Burundi, in Gatumba, on 13 August 2004.
>
> "The Council requests the Special Representative of the Secretary-General for Burundi, in close contact with the Special Representative of the Secretary-General for the Democratic Republic of the Congo, to establish the facts and report on them to the Council as quickly as possible.
>
> "The Council calls upon the authorities of Burundi and of the Democratic Republic of the Congo to cooperate actively so that the perpetrators and those responsible for those crimes can be brought to justice without delay.
>
> "The Council calls upon all States in the region to ensure that the territorial integrity of their neighbours is respected. It recalls in this respect the declaration of principles on good-neighbourly relations and cooperation adopted in New York on 25 September 2003.[108] It encourages them to redouble their efforts in order to provide security for the civilian populations on their territory, including for the foreigners to whom they grant refuge.
>
> "The Council requests the United Nations Operation in Burundi and the United Nations Organization Mission in the Democratic Republic of the Congo to offer their assistance to the Burundian and Congolese authorities with a view to facilitating the investigation and to strengthening the security of vulnerable populations."

On 1 September 2004, the President of the Security Council addressed the following letter to the Secretary-General:[109]

> "I have the honour to inform you that your letter dated 31 August 2004 concerning the inclusion of Bangladesh, Belgium, Benin, Bolivia, Burkina Faso, Chad, China, Ethiopia, Gabon, the Gambia, Ghana, Guatemala, Guinea, India, Jordan, Kenya, Malawi, Malaysia, Mali, Mozambique, Namibia, Nepal, the Netherlands, the Niger, Nigeria, Pakistan, Paraguay, Peru, the Philippines, Portugal, the Republic of Korea, Romania, the Russian Federation, Senegal, Serbia and Montenegro, South Africa, Spain, Sri Lanka, Togo, Tunisia, Uruguay, Yemen and Zambia in the list of countries providing military personnel to the United Nations Operation in Burundi[110] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter."

At its 5042nd meeting, held in private on 23 September 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5042nd meeting, held in private on 23 September 2004, the Security Council considered the item entitled 'The situation in Burundi'.
>
> "Mr. Domitien Ndayizeye, President of the Republic of Burundi, was invited, in response to his request, to participate in the discussion, in accordance with rule 37 of the provisional rules of procedure of the Council.
>
> "The Council heard a briefing by President Ndayizeye.

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[107] S/PRST/2004/30.

[108] S/2003/903, annex.

[109] S/2004/712.

[110] S/2004/711.

"Members of the Council and President Ndayizeye had a constructive exchange of views."

On 8 November 2004, the President of the Security Council addressed the following letter to the Secretary-General:[111]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Central Africa from 20 to 25 November 2004, which will be led by Ambassador Jean-Marc de La Sablière. The members of the Council have agreed on the terms of reference of the mission (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"France (Ambassador Jean-Marc de La Sablière, head of mission)
"Algeria (Ambassador Mourad Benmehidi)
"Angola (Ambassador Ismael Gaspar Martins)
"Benin (Ambassador Joël W. Adechi)
"Brazil (Ms. Irene Vida Gala)
"Chile (Mr. Andrés Landerretche)
"China (Ambassador Zhang Yishan)
"Germany (Ambassador Gunter Pleuger)
"Pakistan (Ambassador Munir Akram)
"Philippines (Mr. Patrick Chuasoto)
"Romania (Ambassador Gheorghe Dumitru)
"Russian Federation (Ambassador Andrey Denisov)
"Spain (Ms. Ana Jiménez)
"United Kingdom of Great Britain and Northern Ireland (Ambassador Adam Thomson)
"United States of America (Ambassador Sichan Siv)

"I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

"**Annex**

"**Security Council mission to Central Africa, 20–25 November 2004: terms of reference**

"In general terms, the mission will stress the need to continue the peace and transitional processes in the Democratic Republic of the Congo and Burundi and to bring them to a successful conclusion in 2005.

"It will stress the substantial resources committed by the United Nations to peacekeeping in the two countries in the context of a considerable increase in requirements in that area throughout the world. It will recall that durable peace and stability in Central Africa and in the Great Lakes region cannot be achieved without clear and unequivocal efforts and the commitment of national and regional stakeholders.

"The mission will stress the common position of the Security Council. It will recall the Council's attachment to respect for the sovereignty, territorial integrity and political independence of all the States of the region.

"It will stress the importance of achieving a sustainable peace, security and stability for all countries in the region, in the spirit of African solidarity and national reconciliation, in particular through peaceful dialogue and consultations, the full normalization of their relations, and the establishment of confidence-building measures and mechanisms.

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[111] S/2004/891.

"It will call upon Governments of the region to give priority, in their bilateral and regional relations, to cooperation in the areas of security (joint monitoring of borders, combating the illegal traffic in arms) and economic development.

"It will stress in this regard the contribution of the international conference on peace, security, democracy and development in the Great Lakes region of Africa, of which the first summit of Heads of State is to be held on 19 and 20 November 2004 in Dar es Salaam, United Republic of Tanzania. It will reaffirm the importance attached by the Council to the principles of ownership of the conference by the Governments concerned and partnership between them and the community of donors.

"The mission will recall that the Council is concerned at the violations of the arms embargo imposed on armed groups in the eastern Democratic Republic of the Congo and at the continuing illegal exploitation of natural resources in that country.

"It will also recall that the Council condemned violations of international humanitarian law and human rights committed in the Democratic Republic of the Congo and Burundi. It will call upon the parties and Governments concerned to ensure that those responsible are brought to justice and that human rights and international humanitarian law are respected.

"Democratic Republic of the Congo

"Express the Council's acknowledgement of the achievements of the transitional authorities since June 2003: appointment of provincial governors, establishment of the national machineries for supervising the disarmament, demobilization and reintegration process, improvement of macroeconomic indicators.

"Stress the Council's concern at the extent of the work that remains to be done and, in that regard:

- Recall the central role of the "road map" adopted by the Congolese authorities. It is on the basis of the timely implementation of that document, the objectives of which match those defined at the meeting held in New York on 29 September 2004, that the Council will assess progress in the transition process.
- Stress the subjects on which transition stakeholders should focus priority attention: reform of the security sector, adoption of legislation required for the electoral process, launching of the disarmament, demobilization and reintegration process. These are absolutely essential requirements for the elections of June 2005.

"Call upon all the components of the transition to honour their commitments under the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo signed at Pretoria on 17 December 2002.

"Affirm the Council's attachment to dialogue between the International Committee in Support of the Transition and the transitional authorities, in particular the Espace présidentiel, in order to overcome any obstacles that may arise in the implementation of key reforms of the transition. Recall the importance of pursuing such dialogue through sectoral discussions with international partners within the framework of joint commissions, as provided for in Council resolution 1565 (2004).

"Stress the effort made by the Council in authorizing the increase in the strength of the United Nations Organization Mission in the Democratic Republic of the Congo in order to contribute to:

- The stabilization of the Democratic Republic of the Congo and of its regional environment;

"Stress that transition stakeholders cannot expect the Mission to do everything. The Government should demonstrate its determination to contribute to improving security in the eastern part of the country. Specifically, it should draw up plans for disarming former Forces armées rwandaises, Interahamwe and Mayi-Mayi combatants. Such plans would be implemented by the armed forces of the Democratic Republic of the Congo with support from the Mission.

"Encourage the Transitional Government to accelerate, in close contact with the Mission, Governments concerned and the donor community, the implementation of programmes for the voluntary demobilization and repatriation of disarmed foreign combatants and their dependants, as well as for the disarmament, demobilization and reintegration of Congolese combatants and their dependants.

"Stress how important it is for the Democratic Republic of the Congo to become fully involved in the different regional mechanisms for dialogue: Joint (border) Verification Mechanism, tripartite dialogue with Rwanda and Uganda, Great Lakes conference.

"Recall the Council's readiness to support the efforts of the transitional authorities in combating impunity in the Democratic Republic of the Congo and the need for them to allow investigators to quickly begin their work.

"Ask for information on government control over the exploitation of natural resources throughout the country, as well as on efforts to promote transparency over the revenue from those resources.

"**Burundi**

"Recall that the transition process in Burundi presents itself as exemplary in two ways:

- Its principle of dialogue and power-sharing;
- Any knock-on effects that its success or failure may have on neighbouring countries.

"Stress that the United Nations, through the deployment of the United Nations Operation in Burundi, is fully committed to the success of this process.

"Recall that there is no alternative to the holding of elections provided for by the Arusha Peace and Reconciliation Agreement for Burundi signed on 28 August 2000.

"Support the decision of the Transitional Government to adopt a constitution for the post-Arusha period. Stress the importance of that constitution, which endorses the provisions of the agreement signed at Pretoria on 6 August 2004 by providing sufficient guarantees for all parties to participate in elections.

"Encourage the Burundian parties to continue progressing through dialogue and in a spirit of compromise, in particular during the campaign to explain the new constitution and during the drawing-up of electoral legislation, in order to achieve a global political solution.

"Recall that the Council vigorously condemned the massacre of Congolese refugees in Gatumba on 13 August 2004 and that it will continue to support the Burundians in their fight against impunity.

"Affirm that the Council will not tolerate the strategy of violence of the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Agathon Rwasa. Call upon him to immediately put an end to that strategy. Stress that the door should remain open for [illegible] to rally to the peace process under the Arusha Peace and Reconciliati

"Insist on the need to rapidly remove obstacles preventing the start of the demobilization and reintegration process (status of combatants, harmonization of grades).

"Rwanda

"Recall that the Council firmly condemned the capture of Bukavu on 2 June 2004 by rebel forces formerly belonging to the Rassemblement congolais pour la démocratie-Goma and strongly urged Rwanda not to provide any material or political support to armed groups in the Democratic Republic of the Congo.

"Exhort the Government of Rwanda to use its influence to encourage the Congolese actors with which it has special ties, in particular the Rassemblement congolais pour la démocratie-Goma, to support the transitional process in the Democratic Republic of the Congo.

"Emphasize the common position of the Council concerning the situation in the Great Lakes region (statements following the events in Bukavu, renewal of the arms embargo, strengthening of the United Nations Organization Mission in the Democratic Republic of the Congo).

"Stress that the Council shares the legitimate concern of Rwanda with regard to the presence of remnants of former combatants of the Forces armées rwandaises and Interahamwe in the eastern part of the Democratic Republic of the Congo, which constitutes a threat to its territorial integrity and a destabilizing factor in the Great Lakes region.

"Emphasize the determination of the international community to provide itself with the means to deal with armed groups that are active in the eastern part of the Democratic Republic of the Congo: support for the integration of the Congolese armed forces, reinforcement of the Mission, launching of disarmament, demobilization and reintegration for Mayi-Mayi groups.

"Stress the need for cooperation on the part of Rwanda for the repatriation and reintegration of its nationals.

"Recall the importance of the Joint Verification Mechanism for the stabilization of the eastern part of the Democratic Republic of the Congo. Stress the need for a central role for the Mission for the smooth operation and credibility of that Mechanism.

"Stress the desire of the Council to see enhanced dialogue between Kigali and Kinshasa under the Joint Verification Mechanism, the tripartite dialogue and the Great Lakes conference.

"Uganda

"Recall that the Council considers Uganda an essential partner in efforts to restore lasting peace to the Great Lakes region.

"Welcome the role of Uganda in the Great Lakes Regional Peace Initiative on Burundi.

"Stress the Council's concern at the difficulties in the process of demobilizing armed groups in Ituri. Urge Uganda to ensure that its territory cannot be used to destabilize the Democratic Republic of the Congo, including through the provision of military or political support to such groups.

"Emphasize the role that the Government of Uganda can play as a mediator among these groups and the positive influence that it can exert on them to support the transitional process in the Democratic Republic of the Congo.

"Discuss ways and means to find a solution to the conflict in northern Uganda which has caused a serious humanitarian crisis."

At its 5093rd meeting, on 1 December 2004, the Council decided to invite the representative

"The situation in Burundi

"Second report of the Secretary-General on the United Nations Operation in Burundi (S/2004/902)".

Resolution 1577 (2004)
of 1 December 2004

The Security Council,

Recalling its resolution 1545 (2004) of 21 May 2004 and the statement by its President of 15 August 2004,[107]

Reaffirming its strong commitment to the respect of the sovereignty, independence, territorial integrity and unity of Burundi, and recalling the importance of the principles of good-neighbourliness and non-interference, and of regional cooperation,

Reaffirming its full support for the process of the Arusha Peace and Reconciliation Agreement for Burundi signed at Arusha, United Republic of Tanzania, on 28 August 2000 (hereinafter "the Arusha Agreement"), calling upon all the Burundian parties to honour fully their commitments, and assuring them of its determination to support Burundi's efforts to bring the transition to an end successfully through the holding of free and fair elections,

Welcoming the positive achievements that have been made so far by the Burundian sides, including since the deployment of the United Nations Operation in Burundi on 1 June 2004,

Welcoming in particular the agreement signed by the Burundian parties at Pretoria on 6 August 2004, and the subsequent adoption by the Parliament of an interim Constitution, on 20 October 2004, which provides guarantees for all communities to be represented in the post-transition institutions,

Encouraging all Burundian parties to continue their dialogue in a spirit of compromise, in particular during the campaign to explain the interim Constitution and the drawing-up of the electoral code, with a view to a lasting political solution,

Recalling that there is no alternative to the holding of elections as provided for by the Arusha Agreement, and calling upon the transitional authorities to carry through the electoral process scheduled to take place until 22 April 2005,

Paying tribute to the efforts made by the States of the Regional Peace Initiative on Burundi, especially Uganda and the United Republic of Tanzania, and the Facilitation, in particular South Africa, to support the peace process in Burundi, and encouraging them to continue to accompany the efforts of the Burundian parties,

Encouraging the international donor community to respond to requests from the Government of Burundi to strengthen its national judicial institutions and rule-of-law capacity,

Condemning all acts of violence as well as violations of human rights and international humanitarian law,

Reiterating its strong condemnation of the Gatumba massacre, and reaffirming that perpetrators of such crimes must be brought to justice,

Taking note of the joint report of the United Nations Operation in Burundi, the United Nations Organization Mission in the Democratic Republic of the Congo and the Office of the United Nations High Commissioner for Human Rights regarding the Gatumba massacre on 13 August 2004,[112] and taking note also of the statement by the Government of Burundi of 29 October 2004[113] and of its commitment to bring its investigation into the Gatumba massacre to a prompt conclusion, with international support as appropriate,

Taking note also of the report of the Secretary-General of 15 November 2004,[114]

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[112] See S/2004/821.

[113] S/2004/867.

Noting that obstacles remain to Burundi's stability, and determining that the situation in that country continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Operation in Burundi, as defined in resolution 1545 (2004), shall be extended until 1 June 2005;

2. *Urges* all the Governments and parties concerned in the region to denounce the use of and incitement to violence, to condemn unequivocally violations of human rights and of international humanitarian law, and actively to cooperate with the United Nations Operation in Burundi and the United Nations Organization Mission in the Democratic Republic of the Congo and with efforts of States aimed at ending impunity;

3. *Calls upon* the Governments of the Democratic Republic of the Congo and of Rwanda to cooperate unreservedly with the Government of Burundi to ensure that the investigation into the Gatumba massacre is completed and that those responsible are brought to justice;

4. *Requests* the United Nations Operation in Burundi and the United Nations Organization Mission in the Democratic Republic of the Congo to continue to provide their assistance, within their mandates, to the Burundian and Congolese authorities, with a view to facilitating the completion of the investigation into the Gatumba massacre and strengthening the security of vulnerable populations;

5. *Deeply troubled* by the fact that the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Agathon Rwasa has claimed responsibility for the Gatumba massacre, expresses its intention to consider appropriate measures that might be taken against those individuals who threaten the peace and national reconciliation process in Burundi;

6. *Requests* the Secretary-General to keep it informed on a regular basis of developments in the situation in Burundi, the implementation of the Arusha Agreement, the execution of the mandate of the United Nations Operation in Burundi and the action taken by the Burundian authorities following the recommendations of the Council in the fight against impunity, and to submit a report on those developments every three months;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5093rd meeting.

Decisions

At its 5141st meeting, on 14 March 2005, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

> "Third report of the Secretary-General on the United Nations Operation in Burundi (S/2005/149)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[115]

> "The Security Council welcomes the approval by the Burundian people of the post-transitional Constitution, through the referendum of 28 February 2005, the final results of which have just been declared. The very broad participation of the citizens of Burundi, who have voted in favour of the Constitution in large numbers, is the sign of their support to the peace process. It is an important event for Burundi and for the whole region of the Great Lakes of Africa.

> "The Council calls upon all Burundians to remain committed to the course of national reconciliation, for further steps remain to be taken. It invites, in particular, the political leadership in the country to work together towards the common goal of holding, expeditiously, local and national elections that are free and fair. It encourages the donor community to continue providing its assistance to this end."

At its 5184th meeting, on 23 May 2005, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[illegible]

> "The Security Council takes note with satisfaction of the declaration signed on 15 May 2005 in Dar es Salaam, United Republic of Tanzania, by the President of the Republic of Burundi, Mr. Domitien Ndayizeye, and by the leader of the rebel group Parti pour la libération du peuple hutu-Forces nationales de libération, Mr. Agathon Rwasa. The Council takes note in particular of the commitment by both parties to immediately cease hostilities, agree within a month on a permanent ceasefire, and negotiate without disturbing the electoral process.
>
> "The Council shares the understanding that this declaration is a first step that should allow the Forces nationales de libération to be rapidly integrated, in a negotiated manner, into the transitional process currently in progress in Burundi. The Council remains convinced that the participation of the Forces nationales de libération in this process will facilitate the holding of the forthcoming elections, in accordance with the timetable confirmed at the last meeting of member States of the Regional Peace Initiative on Burundi, held in Entebbe, Uganda, on 22 April 2005.
>
> "The Council commends the mediation of President Benjamin Mkapa and of the Government of the United Republic of Tanzania and, more generally, the efforts of States of the Regional Initiative chaired by President Yoweri Museveni of the Republic of Uganda and of the Facilitation led by Deputy President Jacob Zuma of the Republic of South Africa, as well as those made by the Special Representative of the Secretary-General, to bring the peace and national reconciliation process in Burundi to a successful conclusion. The Council reiterates that putting an end to the climate of impunity in Burundi and the Great Lakes region is essential to that process.
>
> "The Council urges all Burundian parties to exert greater efforts to ensure the success of the transition, national reconciliation and the stability of the country in the longer term."

At its 5193rd meeting, on 31 May 2005, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

> "Fourth report of the Secretary-General on the United Nations Operation in Burundi (S/2005/328)".

Resolution 1602 (2005)
of 31 May 2005

The Security Council,

Recalling its relevant resolutions on Burundi, in particular resolutions 1545 (2004) of 21 May 2004, 1565 (2004) of 1 October 2004, 1577 (2004) of 1 December 2004 and 1596 (2005)

[illegible]

of 18 April 2005, as well as the statements by its President, in particular those of 15 August 2004[107] and 14 March[115] and 23 May 2005,[119]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi, and recalling the importance of the principles of good-neighbourliness and non-interference, and of regional cooperation,

Reaffirming its full support for the process of the Arusha Peace and Reconciliation Agreement for Burundi, signed at Arusha, United Republic of Tanzania, on 28 August 2000 (hereinafter "the Arusha Agreement"), calling upon all the Burundian parties to fully honour their commitments, and assuring them of its determination to support Burundi's efforts to bring the transition to an end successfully through the holding of free and fair elections,

Welcoming the positive achievements that have been made so far by the Burundian parties, including since the deployment of the United Nations Operation in Burundi on 1 June 2004,

Welcoming in particular the approval by the Burundian people of the post-transitional Constitution in the referendum of 28 February 2005,

Taking note with satisfaction of the declaration signed on 15 May 2005 in Dar es Salaam, United Republic of Tanzania, by the President of the Republic of Burundi, Mr. Domitien Ndayizeye, and by the leader of the rebel group Parti pour la libération du peuple hutu-Forces nationales de libération, Mr. Agathon Rwasa, and taking note in particular of the commitment by both parties to cease hostilities immediately, agree within a month on a permanent ceasefire, and negotiate without disturbing the electoral process,

Urging the international community to take advantage of these positive political developments to increase its assistance for social and economic development in Burundi,

Welcoming the imminent holding of elections as provided for in the Arusha Agreement, taking note with satisfaction of the electoral timetable confirmed at the last meeting of member States of the Regional Peace Initiative on Burundi, held in Entebbe, Uganda, on 22 April 2005, calling upon the transitional authorities strictly to adhere to this timetable for the holding of each poll, and urging all Burundian parties and candidates to ensure respect for the electoral code of conduct, refrain from any actions that may disrupt the process and accept the result of the elections,

Encouraging the Transitional Government to continue, with the cooperation of the United Nations Operation in Burundi, to enhance the participation of women in the political process,

Taking note of the progress achieved in the reform of the security sector, as well as in the disarmament and demobilization of former combatants, and stressing in this regard the need to implement without delay a national reintegration strategy in order to further consolidate peace and stability,

Paying tribute to the efforts of the member States of the Regional Peace Initiative on Burundi, especially Uganda and the United Republic of Tanzania, and the Facilitation of South Africa, to support the peace process in Burundi, and encouraging them to continue to assist the efforts of the Burundian parties,

Encouraging the international donor community to respond to requests from the Government of Burundi to strengthen its national judicial institutions and rule-of-law capacity,

Condemning all acts of violence, any threat of the use of force, as well as violations of human rights and international humanitarian law, and stressing the need for the Burundian authorities to ensure the safety of civilian populations, in particular with regard to women, children and other vulnerable persons,

Reiterating its strong condemnation of the Gatumba massacre of 13 August 2004, and its commitment that perpetrators of such crimes, as well as all persons responsible for violations of human rights and international humanitarian law, be brought to justice, *Considering* that putting an end to the climate of impunity in Burundi, as well as in the Great Lakes of Africa as a whole, is essential for building lasting peace in the region,

Taking note with satisfaction of the report of the Secretary-General of 19 May 2005,[117]

Noting that factors of instability remain in Burundi, and determining that the situation in that country continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Operation in Burundi until 1 December 2005;

2. *Calls upon* all Burundian parties to exert greater efforts to ensure the success of the transition, national reconciliation and the stability of the country in the longer term, in particular by refraining from any actions which may affect the cohesion of the Arusha Agreement process;

3. *Looks forward* to the recommendations to be made by the Secretary-General by 15 November 2005 on the role of the United Nations in supporting Burundi, including on the possible adjustment of the mandate and force strength of the United Nations Operation in Burundi, in accordance with progress made on the ground;

4. *Also looks forward* to the submission by the Secretary-General of his detailed proposal, as described in paragraphs 53 and 54 of his report,[117] for the establishment of an international support mechanism during the post-transitional period in Burundi;

5. *Requests* the Secretary-General to continue to keep the Security Council informed in his reports on the situation in Burundi of actions taken in the fight against impunity;

6. *Welcomes* efforts undertaken by the United Nations Operation in Burundi to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse, and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5193rd meeting.

Decisions

At its 5203rd meeting, on 15 June 2005, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

> "Letter dated 11 March 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/158)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ralph Zacklin, Assistant Secretary-General for Legal Affairs.

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[117] S/2005/328.

At its 5207th meeting, on 20 June 2005, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Letter dated 11 March 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/158)".

Resolution 1606 (2005)
of 20 June 2005

The Security Council,

Reaffirming its support for the process of the Arusha Peace and Reconciliation Agreement for Burundi, signed at Arusha, United Republic of Tanzania, on 28 August 2000 (hereinafter "the Arusha Agreement"),

Convinced of the need, for the consolidation of peace and reconciliation in Burundi, to establish the truth, investigate the crimes, and identify and bring to justice those bearing the greatest responsibility for crimes of genocide, crimes against humanity and war crimes committed in Burundi since independence, to deter future crimes of this nature, and to put an end to the climate of impunity, in Burundi and in the region of the Great Lakes of Africa as a whole,

Emphasizing that appropriate international assistance to Burundi is needed to help the Burundian people to end impunity, promote reconciliation and establish a society and government under the rule of law,

Having taken note of the letter dated 24 July 2002 from the then President of the Republic of Burundi, Pierre Buyoya, to the Secretary-General requesting the establishment of an international judicial commission of inquiry, as provided for in the Arusha Agreement,

Having taken note also of the report transmitted by the Secretary-General to the Security Council on 11 March 2005,[118] following on the assessment mission he had dispatched to Burundi, from 16 to 24 May 2004, to consider the advisability and feasibility of establishing such a commission,

Having heard the opinion of the Transitional Government of Burundi, presented by its Minister of Justice, Didace Kiganahe, on 15 June 2005, on the recommendations contained in the report, which aim at the creation of a mixed truth commission and a special chamber within the court system of Burundi,

Acknowledging the crucial importance of reconciliation for peace and national unity in Burundi, and sharing the view that a future truth commission should contribute to it,

1. *Requests* the Secretary-General to initiate negotiations with the Government and consultations with all Burundian parties concerned on how to implement his recommendations, and to report to the Security Council by 30 September 2005 on details of implementation, including costs, structures and time frame;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 5207th meeting.

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[118] See S/2005/158.

THE SITUATION IN SOMALIA[119]

Decision

At its 5022nd meeting, on 17 August 2004, the Security Council considered the item entitled:

"The situation in Somalia

> "Letter dated 11 August 2004 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2004/604)"

Resolution 1558 (2004)
of 17 August 2004

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the arms embargo"), and resolution 1519 (2003) of 16 December 2003,

Reiterating its firm support for the Somali National Reconciliation Process and the ongoing Somali National Reconciliation Conference under the sponsorship of the Intergovernmental Authority on Development, and reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Condemning the continued flow of weapons and ammunition supplies to and through Somalia, in contravention of the arms embargo, and expressing its determination that violators should be held accountable,

Reiterating the importance of enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that the Somali National Reconciliation Process and the implementation of the arms embargo serve as mutually reinforcing processes,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733 (1992);

2. *Takes note* of the report of the Monitoring Group of 11 August 2004 submitted pursuant to paragraph 6 of resolution 1519 (2003),[120] and the observations and recommendations contained therein, and expresses its intention to give them due consideration in order to improve compliance with the measures imposed by resolution 733 (1992);

3. *Requests* the Secretary-General, in consultation with the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (hereinafter referred to as "the Committee"), to re-establish, within thirty days of the date of adoption of the present resolution, and for a period of six months, the Monitoring Group as referred to in paragraph 2 of resolution 1519 (2003), with the following mandate:

(*a*) To continue the tasks outlined in paragraphs 2 (*a*) to (*d*) of resolution 1519 (2003);

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[119] Resolutions or decisions on this question were also adopted by the Security Council from 1992 to 1997, 1999 to 2003 and during the period from 1 January to 31 July 2004.

[120] See S/2004/604.

(*b*) To continue refining and updating information on the draft list of those who continue to violate the arms embargo inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*c*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003,[121] and on the first report of the Monitoring Group;[120]

(*d*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(*e*) To provide to the Council, through the Committee, a midterm report and a final report covering all the tasks set out above;

4. *Also requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* the need for implementation of the actions set out in paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Expects* the Committee, in accordance with its mandate, to recommend to the Council appropriate measures in response to violations of the arms embargo, by considering and developing, in close consultation with the Monitoring Group, specific proposals to improve compliance with the arms embargo;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5022nd meeting.

Decisions

At its 5064th meeting, on 26 October 2004, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2004/804)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[122]

> "The Security Council reaffirms its previous resolutions and the statements by its President concerning the situation in Somalia, in particular resolution 1558 (2004) of 17 August 2004 and the statement by its President of 14 July 2004.[123]
>
> "The Council reiterates its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations.
>
> "The Council commends the recent progress made at the Somali National Reconciliation Conference in Nairobi, including the establishment of the Transitional Federal Parliament of Somalia and the subsequent election of the Speaker of Parliament and the transitional President, which are important steps towards the re-establishment of peace and stability in Somalia.

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[121] See S/2003/223 and S/2003/1035.

[122] S/PRST/2004/38.

[123] S/PRST/2004/24.

"The Council, underscoring the importance of consolidating the gains made so far, looks forward to the formation, in the near future, of a Transitional Federal Government inside Somalia, capable of beginning reconciliation and reconstruction in a spirit of consensus and dialogue with all the Somali parties.

"The Council, in this regard, encourages the Transitional Federal Parliament and the President to take further steps to select a Prime Minister and an efficient and effective Cabinet, and to develop a preliminary programme of action and timetable for the transitional period. The Council urges the transitional federal institutions to involve women fully in post-conflict reconciliation and reconstruction. The Council also notes the ongoing discussion to outline possible coordination mechanisms between the Transitional Federal Government and the international community.

"The Council commends member States of the Intergovernmental Authority on Development, in particular the Government of Kenya, as well as other countries and organizations for constructively supporting the Somali National Reconciliation Process for the past two years, and encourages them to continue their efforts in support of the cause of peace in Somalia.

"The Council welcomes and expresses its support for the commitment of the African Union to assist the transitional process in Somalia, in particular through planning for a peace support mission to Somalia, including options for disarmament, demobilization and reintegration, and encourages the international donor community to contribute to these efforts.

"The Council further welcomes the efforts of the United Nations Political Office for Somalia, the United Nations country team, the Somalia Aid Coordination Body, the European Union, the Intergovernmental Authority on Development Partners Forum, the League of Arab States and others engaged in developing a peacebuilding framework leading to the formation of a rapid assistance package and calls upon the international community to support this package as well as emergency rehabilitation and economic development programmes as security returns to Somalia.

"The Council shares the Secretary-General's assessment that 'at this stage of progress in the Somali peace process, there will likely be a call for an expanded peacebuilding role and presence for the United Nations, in order that it may assist the Somali parties in implementing their agreement. At the same time, it is clear that any enhanced role for the Organization in Somalia must be incremental, and should be based on the outcome of discussions with the new government.'[124] The Council looks forward to the recommendations of the Secretary-General in this regard.

"The Council urges the Somali leaders to create a favourable environment for the future Transitional Federal Government by making determined efforts to bring about improvements in the security situation on the ground and reiterates that those who persist on the path of confrontation and conflict will be held accountable. The Council will continue to monitor the situation closely."

At its 5083rd meeting, held in Nairobi on 19 November 2004, the Council decided to invite the Minister for Foreign Affairs, International Cooperation and Parliamentary Relations of Djibouti, the Minister for East African Regional Cooperation of Kenya, the representative of the Minister for Foreign Affairs of Ethiopia, the President and the Prime Minister of the Transitional Federal Government of Somalia and the Permanent Representative of Nigeria to the United Nations and representative of the current Chair of the African Union to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

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[124] See S/2004/804, para. 57.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Bethuel Kiplagat, facilitator of the Intergovernmental Authority on Development.

At the same meeting, the President of the Transitional Federal Government of Somalia made a further statement and the Prime Minister of the Transitional Federal Government of Somalia responded to questions by Council members.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[125]

> "The Security Council reaffirms all its previous resolutions and the statements by its President concerning the situation in Somalia, in particular the statement by its President of 26 October 2004.[122]
>
> "The Council reiterates its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations.
>
> "The Council welcomes the progress made in the Somali National Reconciliation Process, in particular the establishment of the Transitional Federal Parliament, the election of the Speaker of Parliament and the President and the appointment of the Prime Minister, which provides a sound and solid framework to achieve a comprehensive and lasting solution to the Somalia situation. The Council reiterates its expectation of the establishment of a broad-based, all-inclusive and effective government inside Somalia that will continue the reconciliation efforts with all Somali parties.
>
> "The Council stresses that it is the responsibility of all Somali parties to work together to consolidate the gains made so far and to achieve further progress. The Council calls upon them to seize this historic opportunity for peace in Somalia by developing a programme of action and timetable for the transitional period, creating a favourable environment for long-term stability and making determined efforts to rebuild the country.
>
> "The Council commends member States of the Intergovernmental Authority on Development, in particular the Government of Kenya, as well as other countries and organizations for all their constructive efforts to facilitate the Somali National Reconciliation Process.
>
> "The Council reaffirms its support for the commitment of the African Union to assist the transitional process in Somalia, in particular the planning for a mission in Somalia, including options for disarmament, demobilization and reintegration.
>
> "The Council encourages and urges donor countries and regional and subregional organizations to provide support to the efforts of the future Somali government and institutions to ensure their ability to function inside Somalia, and to assist in the reconstruction of Somalia. The Council encourages a dialogue between the international donor community and the future Transitional Federal Government on the principles and modalities of international coordination under discussion, including at the meeting held in Stockholm on 29 October 2004, and welcomes the United Nations lead facilitating role in that dialogue and in the subsequent coordination arrangements.
>
> "The Council reaffirms its full support for the peace process in Somalia and the commitment of the United Nations to assist the regional and subregional efforts in this regard.
>
> "The Council expresses its determination to continue to monitor the situation closely."

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[125] S/PRST/2004/43.

At its 5135th meeting, on 7 March 2005, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2005/89)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[126]

"The Security Council reaffirms all its previous decisions concerning the situation in Somalia, in particular the statement by its President of 19 November 2004.[125]

"The Council welcomes the report of the Secretary-General of 18 February 2005,[127] and reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations.

"The Council welcomes the progress made in the Somali National Reconciliation Process, in particular the ongoing relocation efforts of the Transitional Federal Government, expects further progress in this regard and stresses the need for the international community to provide strong political, financial and capacity-building support for these efforts.

"The Council commends the efforts of the African Union and the Intergovernmental Authority on Development in support of the Transitional Federal Government. The Council reiterates its support for the efforts of the African Union in assisting the process of transition in Somalia. The Council recognizes the African Union's readiness to play an important role in a future peace support mission in Somalia. Such a mission must be carefully considered and planned and would require the support of the Somali people.

"The Council urges all Somali factions and militia leaders to cease hostilities and encourages them and the Transitional Federal Government to enter into immediate negotiations for a comprehensive and verifiable ceasefire agreement leading to final disarmament, and welcomes the willingness of the United Nations to provide advice in this regard.

"The Council expresses its gratitude to all those donors who have supported the peace process in Somalia and encourages donor countries and regional and subregional organizations to contribute to the reconstruction and rehabilitation of Somalia, in particular through efforts coordinated by United Nations agencies.

"The Council welcomes the establishment of the Coordination and Monitoring Committee, chaired jointly by the Prime Minister of the Transitional Federal Government and the United Nations, through which donor countries and regional and subregional organizations can provide support to the efforts of the Government.

"The Council stresses that improving the humanitarian situation is an essential component of support for the peace and reconciliation process. The Council strongly believes that ensuring humanitarian access to all Somalis in need and providing guarantees for the safety and security of aid workers is an immediate priority and obligation of the Transitional Federal Government.

"The Council welcomes the efforts of the United Nations Political Office for Somalia and its leading role in coordinating support for the Transitional Federal Government to implement the agreements reached at the Somali National Reconciliation Conference and establish peace and stability in Somalia. The Council takes note of the need to expand the United Nations presence as proposed in the report of the Secretary-General of 18 February 2005. The Council concurs with the Secretary-General that a further enhanced role for the Organization in Somalia must be incremental and should be based on the outcome of discussions with the Government.

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[126] S/PRST/2005/11.

[127] S/2005/89.

"The Council reaffirms its full support for the peace process in Somalia and the commitment of the United Nations to assist the regional and subregional efforts in this regard."

At its 5142nd meeting, on 15 March 2005, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

> "Letter dated 8 March 2005 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2005/153)".

Resolution 1587 (2005)
of 15 March 2005

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the arms embargo"), and resolutions 1519 (2003) of 16 December 2003 and 1558 (2004) of 17 August 2004,

Welcoming further progress in the process of national reconciliation in Somalia, and expecting further steps by the Transitional Federal Government towards establishing effective national governance in Somalia,

Reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Commending the efforts of the African Union and the Intergovernmental Authority on Development in support of the Transitional Federal Government, and welcoming the continued support of the African Union for reconciliation in Somalia,

Taking note of the report of the Monitoring Group of 14 February 2005, submitted pursuant to paragraph 3 (*e*) of resolution 1558 (2004),[128] and the observations and recommendations contained therein,

Condemning the continued flow of weapons and ammunition supplies to and through Somalia, in violation of the arms embargo, and expressing its determination that violators should be held accountable,

Reiterating the importance of the implementation of the arms embargo by Member States and the enhancement of the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

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[128] See S/2005/153.

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733 (1992);

2. *Expresses its intention* to give the report of the Monitoring Group of 14 February 2005[128] due consideration in order to improve implementation of and compliance with the measures imposed by resolution 733 (1992);

3. *Requests* the Secretary-General, in consultation with the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (hereinafter referred to as "the Committee"), to re-establish within thirty days of the date of the adoption of the present resolution, and for a period of six months, the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), with the following mandate:

(*a*) To continue investigating the implementation of the arms embargo by Member States and violations, inter alia, through field-based investigations in Somalia, where possible, and, as appropriate, in other States, in particular, those in the region;

(*b*) To assess actions taken by Somali authorities, as well as Member States, in particular those in the region, to implement fully the arms embargo;

(*c*) To make specific recommendations based on detailed information in relevant areas of expertise related to violations and measures to give effect to and strengthen the implementation of the arms embargo in its various aspects;

(*d*) To continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*e*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003,[121] and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003)[120] and 1558 (2004);[128]

(*f*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(*g*) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(*h*) To provide to the Council, through the Committee, a midterm briefing within ninety days of its establishment;

(*i*) To submit to the Council through the Committee, no later than thirty days prior to the termination of its mandate, a final report covering all the tasks set out above, which the Committee will subsequently consider and convey to the Council prior to the expiration of its mandate;

4. *Also requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider and recommend to the Council ways to improve implementation of and compliance with the arms embargo, including ways to develop the capacity of States in the region to implement the arms embargo, in response to continuing violations;

7. *Also requests* the Committee to consider, when appropriate, a visit to Somalia and/or the region by its Chairman and those he may designate, as approved by the Committee, to demonstrate the determination of the Council to give full effect to the arms embargo;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5142nd meeting.

Decisions

On 29 April 2005, the President of the Security Council addressed the following letter to the Secretary-General:[129]

> "I have the honour to inform you that your letter dated 27 April 2005 concerning your intention to appoint Mr. François Lonseny Fall, of Guinea, as your Special Representative for Somalia and Head of the United Nations Political Office for Somalia[130] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5227th meeting, on 14 July 2005, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

> "Letter dated 8 March 2005 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2005/153)
>
> "Report of the Secretary-General on the situation in Somalia (S/2005/392)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[131]

> "The Security Council reaffirms all its previous decisions concerning the situation in Somalia, in particular the statements by its President of 19 November 2004[125] and 7 March 2005.[126]
>
> "The Council welcomes the report of the Secretary-General of 16 June 2005,[132] and reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations.
>
> "The Council is encouraged by the relocation now under way of the transitional federal institutions to Somalia, urges further progress in this regard and calls upon the Somali leaders to continue to work towards reconciliation, through inclusive dialogue and consensus-building within the framework of the transitional federal institutions, in accordance with the Transitional Federal Charter of the Somali Republic adopted in February 2004.
>
> "The Council expresses its concern at the recent disagreements and increased tensions among Somali leaders, which threaten the viability of the transitional federal institutions. The Council calls upon all leaders in Somalia to exercise maximum restraint and take immediate effective steps to reduce tension. Violence or military action by any members of the transitional federal institutions or other parties is unacceptable as the means for dealing with the current differences within the transitional federal institutions. The Council reiterates that any members of the transitional federal institutions or other parties who persist on the path of confrontation and conflict, including military action, will be held accountable.

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[129] S/2005/280.

[130] S/2005/279.

[131] S/PRST/2005/32.

[132] S/2005/392.

"The Council urges the transitional federal institutions to conclude without delay a national security and stabilization plan, to include a comprehensive and verifiable ceasefire agreement leading to final disarmament, and welcomes the willingness of the United Nations to provide advice in this regard.

"The Council commends the commitment of the African Union and the Intergovernmental Authority on Development in support of the relocation to Somalia of the transitional federal institutions and reiterates its support for those efforts in assisting the process of transition in Somalia. The Council welcomes the readiness of the African Union and the Intergovernmental Authority on Development to reinforce their continued support for the establishment of a functioning central government of Somalia, including the possible deployment of a peace support mission to Somalia, and encourages the Peace and Security Council of the African Union to keep the Security Council informed of all developments. The Council expects the African Union and the Intergovernmental Authority on Development to work out a detailed mission plan in close coordination with, and with the broad consensus of, the transitional federal institutions and consistent with a national security and stabilization plan.

"The Council takes note of the request by the Peace and Security Council to the Security Council for the authorization of an exemption from the arms embargo imposed against Somalia by resolution 733 (1992) of 23 January 1992, contained in the communiqués issued by the Peace and Security Council on 12 May and 3 July 2005. The Security Council stands ready to consider this matter in due course on the basis of information on the above-mentioned mission plan.

"The Council further reminds all parties in Somalia, including all members of the transitional federal institutions, as well as all Member States, of their obligation to implement and enforce the arms embargo imposed by the Council under resolution 733 (1992). Continued non-compliance with this measure undermines the efforts of those who seek to establish peace in Somalia. There can be no effective and lasting progress in Somalia as long as arms and ammunition flow unchecked across Somalia's borders. A stable and secure environment in Somalia is essential to the future success of the national reconciliation process.

"The Council welcomes the continued engagement of donors in supporting the establishment of a functioning government in Somalia through the mechanism of the Coordination and Monitoring Committee and in fulfilment of the Declaration of Principles. The Council encourages donor countries and regional and subregional organizations to continue to contribute to the reconstruction and rehabilitation of Somalia, in particular through the mechanism of the Rapid Assistance Programme and efforts coordinated by the United Nations.

"The Council stresses that improving the humanitarian situation is an essential component of support for the peace and reconciliation process. The Council reiterates that ensuring humanitarian access to all Somalis in need and providing guarantees for the safety and security of aid workers is an immediate priority and obligation of the transitional federal institutions. The Council further welcomes the ongoing efforts and work of the business community, humanitarian organizations, non-governmental organizations, civil society and women's groups to facilitate the demilitarization of Somalia.

"The Council deplores the recent hijacking of a vessel off the coast of Somalia that had been chartered by the World Food Programme and was carrying food aid for tsunami victims, and notes the subsequent decision by the Programme to suspend all shipments of humanitarian assistance to Somalia. The Council expresses its concern at the impact of these developments, and calls for the quick and appropriate resolution of this incident. The Council condemns in the strongest terms the brutal murder of Somali peace activist Abdulkadir Yahya Ali in Mogadishu on 11 July 2005. The Council calls for the incident to be investigated immediately and for those responsible to be held fully accountable.

"The Council welcomes the steps being taken to strengthen the capacity of the United Nations Political Office for Somalia and reaffirms its strong support for the leadership of the Special Representative of the Secretary-General in his efforts in fostering inclusive dialogue among the leaders of the transitional federal institutions. The Council calls upon all Somali parties and Member States to extend to him their fullest cooperation in this regard.

"The Council reaffirms its full support for the peace process in Somalia and the commitment of the United Nations to assist the regional and subregional efforts in this regard."

STRENGTHENING COOPERATION WITH TROOP-CONTRIBUTING COUNTRIES

A. Meeting of the Security Council with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo pursuant to resolution 1353 (2001), annex II, sections A and B[133]

Decisions

At its 5023rd meeting, held in private on 23 August 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 August 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5023rd meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Guéhenno and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5146th meeting, held in private on 22 March 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 22 March 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5146th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. William Lacy Swing, Special Representative of the Secretary-General for the Democratic Republic of the Congo. Major General Patrick Cammaert, Commander of the Eastern Division and Deputy Force Commander of the Mission, made a statement.

"Members of the Council, Mr. Swing and representatives of participating troop-contributing countries had a constructive exchange of views."

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[133] Resolutions or decisions on this question were also adopted by the Security Council in 2001, 2002, 2003 and during the period from 1 January to 31 July 2004.

B. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea pursuant to resolution 1353 (2001), annex II, sections A and B[133]

Decisions

At its 5029th meeting, held in private on 10 September 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 September 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5029th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Legwaila Joseph Legwaila, Special Representative of the Secretary-General for Ethiopia and Eritrea.
>
> "Members of the Council, Mr. Legwaila and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5138th meeting, held in private on 11 March 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 11 March 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5138th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Legwaila Joseph Legwaila, Special Representative of the Secretary-General for Ethiopia and Eritrea.
>
> "Members of the Council, Mr. Legwaila and representatives of participating troop-contributing countries had a constructive exchange of views."

C. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Liberia pursuant to resolution 1353 (2001), annex II, sections A and B[134]

Decision

At its 5034th meeting, held in private on 15 September 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 15 September 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5034th meeting, in private with the troop-contributing countries to the United Nations Mission in Liberia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jacques Paul Klein, Special Representative of the Secretary-General for Liberia.

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[134] Resolutions or decisions on this question were also adopted by the Security Council in 2003, under the item entitled "Meeting of the Security Council with the potential troop- and civilian police-contributing countries to the proposed United Nations peacekeeping operation in Liberia pursuant to resolution 1353 (2001), annex II, sections A and B".

"Members of the Council, Mr. Klein and representatives of participating troop-contributing countries had a constructive exchange of views."

D. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Sierra Leone pursuant to resolution 1353 (2001), annex II, sections A and B[133]

Decision

At its 5035th meeting, held in private on 15 September 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 15 September 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5035th meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Daudi Ngelautwa Mwakawago, Special Representative of the Secretary-General for Sierra Leone."

E. Meeting of the Security Council with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus pursuant to resolution 1353 (2001), annex II, sections A and B[133]

Decisions

At its 5054th meeting, held in private on 8 October 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 8 October 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5054th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Zbigniew Wlosowicz, Acting Special Representative of the Secretary-General for Cyprus and Chief of Mission.
>
> "Members of the Council, Mr. Wlosowicz and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5198th meeting, held in private on 9 June 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 9 June 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5198th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Acting Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Mr. Weisbrod-Weber and representatives of participating troop-contributing countries had a constructive exchange of views."

F. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara pursuant to resolution 1353 (2001), annex II, sections A and B[133]

Decisions

At its 5062nd meeting, held in private on 25 October 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 25 October 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5062nd meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Alvaro de Soto, Special Representative of the Secretary-General for Western Sahara.
>
> "Members of the Council, Mr. de Soto and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5167th meeting, held in private on 22 April 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 22 April 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5167th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Alvaro de Soto, Special Representative of the Secretary-General for Western Sahara.
>
> "Members of the Council, Mr. de Soto and representatives of participating troop-contributing countries had a constructive exchange of views."

G. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission of Support in East Timor pursuant to resolution 1353 (2001), annex II, sections A and B[135]

Decisions

At its 5074th meeting, held in private on 11 November 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 11 November 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5074th meeting, in private with the troop-contributing countries to the United Nations Mission of Support in East Timor.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

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[135] Resolutions or decisions on this question were also adopted by the Security Council in 2003 and during the period from 1 January to 31 July 2004.

"Members of the Council, Ms. Buttenheim and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5179th meeting, held in private on 16 May 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 16 May 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5179th meeting, in private with the troop-contributing countries to the United Nations Mission of Support in East Timor.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had a constructive exchange of views."

H. Meeting of the Security Council with the troop-contributing countries to the United Nations Stabilization Mission in Haiti pursuant to resolution 1353 (2001), annex II, sections A and B

Decisions

At its 5087th meeting, held in private on 24 November 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 November 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5087th meeting, in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Juan Gabriel Valdés, Special Representative of the Secretary-General for Haiti and Head of Mission.

"Members of the Council, Mr. Valdés and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5183rd meeting, held in private on 23 May 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 May 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5183rd meeting, in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Juan Gabriel Valdés, Special Representative of the Secretary-General for Haiti and Head of Mission.

"Members of the Council, Mr. Valdés and representatives of participating troop-contributing countries had a constructive exchange of views."

I. Meeting of the Security Council with the troop-contributing countries to the United Nations Operation in Burundi pursuant to resolution 1353 (2001), annex II, sections A and B

Decisions

At its 5088th meeting, held in private on 24 November 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 November 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5088th meeting, in private with the troop-contributing countries to the United Nations Operation in Burundi.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5182nd meeting, held in private on 23 May 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 May 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5182nd meeting, in private with the troop-contributing countries to the United Nations Operation in Burundi.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Carolyn McAskie, Special Representative of the Secretary-General for Burundi and Head of Mission.

"Members of the Council, Ms. McAskie and representatives of participating troop-contributing countries had a constructive exchange of views."

J. Meeting of the Security Council with the troop-contributing countries to the United Nations Disengagement Observer Force pursuant to resolution 1353 (2001), annex II, sections A and B[133]

Decisions

At its 5098th meeting, held in private on 10 December 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 10 December 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5098th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Ms. Buttenheim and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5200th meeting, held in private on 15 June 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 15 June 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5200th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had a constructive exchange of views."

K. Meeting of the Security Council with the troop-contributing countries to the United Nations Observer Mission in Georgia pursuant to resolution 1353 (2001), annex II, sections A and B[136]

Decisions

At its 5114th meeting, held in private on 24 January 2005, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 24 January 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5114th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.
>
> "The President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Ms. Heidi Tagliavini, Special Representative of the Secretary-General for Georgia and Head of Mission.
>
> "Members of the Council and representatives of participating troop-contributing countries heard a briefing by Ms. Tagliavini."

At its 5234th meeting, held in private on 25 July 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 25 July 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5234th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Heidi Tagliavini, Special Representative of the Secretary-General for Georgia and Head of Mission.
>
> "Members of the Council, Ms. Tagliavini and representatives of participating troop-contributing countries had a constructive exchange of views."

L. Meeting of the Security Council with the troop-contributing countries to the United Nations Interim Force in Lebanon pursuant to resolution 1353 (2001), annex II, sections A and B[136]

Decisions

At its 5115th meeting, held in private on 24 January 2005, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 24 January 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5115th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon and to the United Nations Truce Supervision Organization.
>
> "The President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

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[136] Resolutions or decisions on this question were also adopted by the Security Council in 2002, 2003 and during the period from 1 January to 31 July 2004.

"Members of the Council and the troop-contributing countries heard a briefing by Mr. Annabi.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5233rd meeting, held in private on 25 July 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 25 July 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5233rd meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a statement by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat, and a briefing by Major General Alain Pellegrini, Force Commander of the United Nations Interim Force in Lebanon, under rule 39 of the provisional rules of procedure of the Council.

"Members of the Council, Ms. Buttenheim, Major General Pellegrini and representatives of participating troop-contributing countries had a constructive exchange of views."

M. Meeting of the Security Council with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire pursuant to resolution 1353 (2001), annex II, sections A and B[137]

Decision

At its 5150th meeting, held in private on 24 March 2005, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 March 2005, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5150th meeting, in private with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had a constructive exchange of views."

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[137] Resolutions or decisions on this question were also adopted by the Security Council in 2003, under the item entitled "Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Côte d'Ivoire pursuant to resolution 1353 (2001), annex II, sections A and B". Pursuant to resolution 1528 (2004) of 27 February 2004, the United Nations Mission in Côte d'Ivoire was replaced by the United Nations Operation in Côte d'Ivoire as from 4 April 2004.

THE SITUATION IN TIMOR-LESTE[138]

Decisions

At its 5024th meeting, on 24 August 2004, the Security Council decided to invite the representatives of Australia, Indonesia, Japan, Malaysia, the Netherlands, New Zealand, Portugal and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Progress report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/669)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 5076th meeting, on 15 November 2004, the Council decided to invite the representatives of Australia, Indonesia, Japan, Malaysia, the Netherlands, New Zealand, Portugal, Singapore, Thailand and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Progress report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/888)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Mission of Support in East Timor.

At its 5079th meeting, on 16 November 2004, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Progress report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/888)".

Resolution 1573 (2004)
of 16 November 2004

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolutions 1410 (2002) of 17 May 2002, 1473 (2003) of 4 April 2003, 1480 (2003) of 19 May 2003 and 1543 (2004) of 14 May 2004,

Commending the people and the Government of Timor-Leste for the peace and stability they have achieved in the country, as well as for their continuing efforts towards consolidating democracy and building State institutions,

Also commending the United Nations Mission of Support in East Timor, under the leadership of the Special Representative of the Secretary-General, and welcoming the continuing progress made towards the accomplishment of key tasks inscribed in its mandate, particularly during its consolidation phase, in accordance with resolution 1543 (2004),

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[138] Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1976, from 1999 to 2003 and during the period from 1 January to 31 July 2004.

Paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development,

Noting that, despite notable advances achieved in the last months, Timor-Leste has not yet reached the critical threshold of self-sufficiency, mainly in key areas such as public administration, law enforcement and security,

Welcoming the strengthening of cooperation and good relations between Timor-Leste and its neighbours, and encouraging further progress towards concrete agreements on border delineation and other pending issues,

Commending the Serious Crimes Unit for the efforts it has undertaken in order to complete its investigations by November 2004, and any further trials and other activities no later than 20 May 2005,

Noting with concern that it may not be possible for the Serious Crimes Unit to fully respond to the desire for justice of those affected by the violence in 1999 bearing in mind the limited time and resources that remain available,

Taking note of the report of the Secretary-General of 29 April 2004 on the Mission[139] as well as his report of 19 November 2004,[140] and welcoming his recommendations contained therein,

Remaining fully committed to the promotion of security and long-lasting stability in Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Mission of Support in East Timor for a final period of six months until 20 May 2005;

2. *Decides also* to maintain the current tasks, configuration and size of the Mission in order to allow it to complete key tasks of its mandate and consolidate gains made thus far;

3. *Requests* the Mission to focus increasingly on implementing its exit strategy, particularly with a view to ensuring increasing involvement and ownership of the Timorese in the three programme areas of the Mission, so that, when it departs Timor-Leste, its responsibilities can be taken over by the Timorese, with the continued assistance of the United Nations system and bilateral and multilateral partners;

4. *Urges* the donor community to continue providing its indispensable assistance to Timor-Leste, including through active participation in the donors conference scheduled to be held in March 2005;

5. *Urges*, in particular, United Nations development and humanitarian agencies and multilateral financial institutions to start immediately planning for a smooth transition, in Timor-Leste, from a peacekeeping operation to a sustainable development assistance framework;

6. *Reaffirms* the need to fight against impunity, and in this regard takes note of the Secretary-General's intention to continue to explore possible ways to address this issue with a view to making proposals as appropriate;

7. *Requests* the Secretary-General to keep the Security Council closely and regularly informed of developments on the ground and of the implementation of the present resolution, in particular of paragraphs 3 and 5 above, and in that regard requests the Secretary-General to submit a report within three months of the date of adoption of the present resolution, followed by a final report in May 2005;

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[139] S/2004/333.

[140] S/2004/888.

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5079th meeting.

Decisions

On 26 January 2005, the President of the Security Council addressed the following letter to the Secretary-General:[141]

> "I have the honour to inform you that your letter dated 11 January 2005 concerning your decision to establish an independent commission of three experts (Commission of Experts) to conduct an assessment on the prosecution of serious crimes committed in East Timor in 1999 and provide recommendations in this regard[142] has been brought to the attention of the members of the Security Council. They take note of the decision and information contained in your letter, including your intention to adjust the timing of the announcement and the dispatch of the Commission of Experts to the region, as appropriate, given the recent tsunami disaster and emergency situation in Indonesia."

At its 5132nd meeting, on 28 February 2005, the Council decided to invite the representatives of Australia, Indonesia, Luxembourg, New Zealand, Portugal, Singapore, Thailand and Timor-Leste to participate, without vote, in the discussion of the item entitled:

> "The situation in Timor-Leste
>
> > "Progress report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2005/99)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Mission of Support in East Timor.

At its 5171st meeting, on 28 April 2005, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled "The situation in Timor-Leste".

Resolution 1599 (2005)
of 28 April 2005

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolutions 1543 (2004) of 14 May 2004 and 1573 (2004) of 16 November 2004,

Having considered the report of the Secretary-General of 18 February 2005,[143]

Commending the people and the Government of Timor-Leste for the peace and stability they have achieved in the country, as well as for their continuing efforts towards consolidating democracy and strengthening State institutions,

Commending the United Nations Mission of Support in East Timor, under the leadership of the Special Representative of the Secretary-General, and welcoming the continuing progress made towards the completion of key tasks inscribed in its mandate, particularly during its consolidation phase, in accordance with resolutions 1543 (2004) and 1573 (2004),

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[141] S/2005/97.

[142] S/2005/96.

[143] S/2005/99.

Paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development,

Expressing its appreciation to those Member States which have provided support to the Mission,

Having considered the letter dated 20 January 2005 from the Prime Minister of Timor-Leste to the Secretary-General,[144]

Noting the Secretary-General's analysis of the need for a United Nations presence to remain in Timor-Leste after 20 May 2005, although at a reduced level,

Noting also that the emerging institutions in Timor-Leste are still in the process of consolidation and that further assistance is required to ensure sustained development and strengthening of key sectors, mainly rule of law, including justice, human rights, and support for the Timor-Leste police, and other public administration,

Acknowledging the excellent communication and goodwill that have characterized relations between Timor-Leste and Indonesia, including the decision to establish a Truth and Friendship Commission, and their land border agreement signed in Dili on 8 April 2005, which covers approximately 96 per cent of the land border, and encouraging continued efforts by both Governments towards resolving this and all pending bilateral issues,

Acknowledging also the decision of the Secretary-General outlined in his letter dated 11 January 2005 to the Security Council to send a Commission of Experts to Timor-Leste and Indonesia to review the serious crimes accountability processes and recommend further measures as appropriate,[142]

Remaining fully committed to the promotion of long-lasting stability in Timor-Leste,

1. *Decides* to establish a one-year follow-on special political mission in Timor-Leste, the United Nations Office in Timor-Leste, which will remain in Timor-Leste until 20 May 2006;

2. *Decides also* that the Office will have the following mandate:

(*a*) To support the development of critical State institutions through provision of up to forty-five civilian advisers;

(*b*) To support further development of the police through provision of up to forty police advisers, and support for development of the Border Patrol Unit through provision of up to thirty-five additional advisers, fifteen of whom may be military advisers;

(*c*) To provide training in observance of democratic governance and human rights through provision of up to ten human rights officers; and

(*d*) To monitor and review progress in (*a*) to (*c*) above;

3. *Requests* that, when implementing its mandate, the Office emphasize proper transfer of skills and knowledge in order to build the capacity of the public institutions of Timor-Leste to deliver their services in accordance with international principles of the rule of law, justice, human rights, democratic governance, transparency, accountability and professionalism;

4. *Also requests* that the Office be led by a Special Representative of the Secretary-General, who will direct the operations of the mission and coordinate all United Nations activities in Timor-Leste through his office, with due attention to safety of personnel, and facilitated by appropriate levels of logistics support, including transportation assets, such as air transport when necessary;

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[144] S/2005/103, annex.

5. *Further requests* that the Secretary-General deploy some of the advisers, authorized in paragraph 2 (*b*) above, to assist the National Police of Timor-Leste in developing procedures for and in training the Border Patrol Unit and to assist the Government of Timor-Leste in coordinating contacts with the Indonesian military, with the objective of transferring skills to the Border Patrol Unit to assume full responsibility for such coordination as soon as possible;

6. *Underlines* the fact that United Nations assistance to Timor-Leste should be coordinated with the efforts of bilateral and multilateral donors, regional mechanisms, non-governmental organizations, private sector organizations and other actors from within the international community, and encourages the Special Representative of the Secretary-General to establish and chair a consultative group, made up of these stakeholders in Timor-Leste, that will meet regularly for that purpose;

7. *Urges* the donor community, as well as the United Nations agencies and multilateral financial institutions, to continue providing resources and assistance for the implementation of projects towards sustainable and long-term development in Timor-Leste, and urges the donor community to actively participate in the donors conference scheduled to be held in April 2005;

8. *Encourages*, in particular, the Government of Timor-Leste, the Office, the United Nations Secretariat, United Nations development and humanitarian agencies, and multilateral financial institutions to start immediately planning for a smooth and rapid transition in Timor-Leste from a special political mission to a sustainable development assistance framework;

9. *Reaffirms* the need for credible accountability for the serious human rights violations committed in East Timor in 1999, and in this regard underlines the need for the Secretariat, in agreement with the authorities of Timor-Leste, to preserve a complete copy of all the records compiled by the Serious Crimes Unit, calls upon all parties to cooperate fully with the work of the Secretary-General's Commission of Experts, and looks forward to the Commission's upcoming report exploring possible ways to address this issue, including ways of assisting the Truth and Friendship Commission which Indonesia and Timor-Leste have agreed to establish;

10. *Requests* the Secretary-General to keep the Council closely and regularly informed of developments on the ground and of the implementation of the mandate of the Office, and the planning for a transition to a sustainable development assistance framework, and to submit a report within four months of the date of adoption of the present resolution and every four months thereafter, with recommendations for any modifications such progress might allow to size, composition, mandate and duration of the presence of the Office;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5171st meeting.

Decisions

At its 5180th meeting, on 16 May 2005, the Security Council decided to invite the representatives of Australia, Indonesia, Luxembourg, Malaysia, Portugal and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "End of mandate report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2005/310)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

On 1 June 2005, the President of the Security Council addressed the following letter to the Secretary-General:[145]

> "I have the honour to inform you that your letter dated 27 May 2005 concerning your intention to appoint Mr. Sukehiro Hasegawa, of Japan, as Chief of the United Nations Office in Timor-Leste[146] has been brought to the attention of the members of the Security Council. They take note of this information and of the intention expressed in your letter."

THE SITUATION IN AFGHANISTAN[147]

Decisions

At its 5025th meeting, on 25 August 2004, the Security Council decided to invite the representatives of Afghanistan, Canada, Iceland, Japan, the Netherlands and Uzbekistan to participate, without vote, in the discussion of the item entitled:

> "The situation in Afghanistan
>
> > "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2004/634)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At its 5038th meeting, on 17 September 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1563 (2004)
of 17 September 2004

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002, 1444 (2002) of 27 November 2002 and 1510 (2003) of 13 October 2003,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves, and welcoming the continuing cooperation of the Afghan Transitional Administration with the International Security Assistance Force,

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[145] S/2005/357.

[146] S/2005/356.

[147] Resolutions or decisions on this question were also adopted by the Security Council in 1994, from 1996 to 2003 and during the period from 1 January to 31 July 2004.

Reaffirming the importance of the Bonn Agreement of 5 December 2001[148] and the Berlin Declaration of 1 April 2004, and recalling in particular annex I to the Bonn Agreement which, inter alia, provides for the progressive expansion of the Force to other urban centres and other areas beyond Kabul,

Stressing the importance of extending central government authority to all parts of Afghanistan, of conducting free and fair elections, of comprehensive disarmament, demobilization and reintegration of all armed factions, of justice sector reform, of security sector reform, including reconstitution of the Afghan National Army and Police, and of combating narcotics trade and production, and recognizing certain progress that has been made in these and other areas with the help of the international community,

Recognizing the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan, in particular in the light of the upcoming elections,

Welcoming, in this context, the commitment by lead nations of the North Atlantic Treaty Organization to establish further Provincial Reconstruction Teams, as well as the readiness of the Force and the Operation Enduring Freedom Coalition to assist in securing the conduct of national elections,

Expressing its appreciation to Eurocorps for taking over the lead from Canada in commanding the Force, and to Canada for its leadership of the Force during the past year, and recognizing with gratitude the contributions of many nations to the Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the Force, in consultation with the Afghan Transitional Administration and its successors,

Acting for these reasons under Chapter VII of the Charter,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolutions 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2004;

2. *Authorizes* the Member States participating in the Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need to strengthen the Force, and in this regard calls upon Member States to contribute personnel, equipment and other resources to the Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);

4. *Calls upon* the Force to continue to work in close consultation with the Afghan Transitional Administration and its successors and the Special Representative of the Secretary-General, as well as with the Operation Enduring Freedom Coalition in the implementation of the mandate of the Force;

5. *Requests* the leadership of the Force to provide quarterly reports on the implementation of its mandate to the Security Council through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5038th meeting.

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[148] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

Decisions

At its 5045th meeting, on 28 September 2004, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 5055th meeting, on 12 October 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 5056th meeting, on 12 October 2004, the Council, pursuant to the decision taken at the 5055th meeting of the Council, decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[149]

> "The Security Council welcomes the presidential election that took place on 9 October 2004 in Afghanistan, stresses its historic importance as a milestone in the political process, and congratulates the millions of Afghan voters, many of them women and refugees, who showed their commitment to democracy by participating in the first popular election of their Head of State. The Council welcomes further the broad political representation, as manifested by the 18 presidential candidates. The Council commends the Afghan National Police and the Afghan National Army for their role, with the assistance of the international security forces, in bolstering security during the election period.
>
> "The Council appreciates the effort of the Joint Electoral Management Body and the United Nations Assistance Mission in Afghanistan for their excellent achievement in the preparations for the presidential election. The Council appreciates the electoral management body's efforts to address any candidate's concerns and to further enhance the transparency of the electoral process, and looks forward to a final statement.
>
> "The Council urges the Government of Afghanistan, with the help of the international community, to continue to confront the challenges that remain in Afghanistan, including security, timely preparation of the parliamentary elections in April 2005, the reconstruction of institutions, the fight against narcotics, and the disarmament, demobilization and reintegration of Afghan militias.
>
> "The Council calls upon the Afghan authorities to plan and carry out without delay inclusive parliamentary elections, and calls upon the international community to support them in completing the electoral process set out in the Bonn Agreement.[148]
>
> "The Council pledges its continued support for the Government and people of a sovereign Afghanistan as they rebuild their country, strengthen the foundations of constitutional democracy, and assume their rightful place in the community of nations, and calls upon the international community, with the United Nations in a central role, to support them in these efforts."

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[149] S/PRST/2004/35.

At its 5073rd meeting, on 9 November 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 5108th meeting, on 10 January 2005, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At its 5145th meeting, on 22 March 2005, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2005/183)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At its 5148th meeting, on 24 March 2005, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2005/183)".

Resolution 1589 (2005)
of 24 March 2005

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolution 1536 (2004) of 26 March 2004 extending the mandate of the United Nations Assistance Mission in Afghanistan through 26 March 2005,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Welcoming once again the successful holding of the presidential election on 9 October 2004,

Recognizing the urgent need to tackle the ongoing challenges in Afghanistan, including the fight against narcotics, the lack of security in certain areas, terrorist threats, comprehensive nationwide disarmament, demobilization and reintegration of the Afghan Militia Forces and disbandment of illegal armed groups, timely preparation for the parliamentary, provincial and district elections, development of Afghan government institutions, acceleration of justice sector reform, promotion and protection of human rights, and economic and social development,

Reaffirming, in this context, its continued support for the implementation of the provisions of the Bonn Agreement of 5 December 2001[148] and of the Berlin Declaration of 1 April 2004, including the annexes thereto, and pledging its continued support thereafter for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and assume their rightful place in the community of nations,

Recalling and emphasizing the importance of the Declaration on Good-neighbourly Relations, signed in Kabul on 22 December 2002,[150] and encouraging all States concerned to continue to follow up on the Kabul Declaration and the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation, signed in Dubai, United Arab Emirates, on 22 September 2003,

Expressing its appreciation and strong support for the ongoing efforts of the Secretary-General and his Special Representative for Afghanistan, and stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan,

1. *Welcomes* the report of the Secretary-General of 18 March 2005;[151]

2. *Decides* to extend the mandate of the United Nations Assistance Mission in Afghanistan for an additional period of twelve months from the date of adoption of the present resolution;

3. *Stresses* the importance of urgently establishing a framework for the holding at the earliest possible date of free and fair elections, welcomes in this regard the announcement of the Joint Electoral Management Body that elections for the lower house of the parliament (Wolesi Jirga) and provincial councils will be held on 18 September 2005, calls upon the Mission to continue to provide necessary support in order to facilitate timely elections with the broadest possible participation, and urges the donor community to promptly make available the necessary financial support based on that framework, in close coordination with the Government of Afghanistan and the Mission, and to consider contributing to electoral observer missions;

4. *Also stresses* the importance of security for credible parliamentary, provincial and district elections, and to this end calls upon Member States to contribute personnel, equipment and other resources to support the expansion of the International Security Assistance Force and the establishment of provincial reconstruction teams in other parts of Afghanistan, and to coordinate closely with the Mission and the Government of Afghanistan;

5. *Welcomes* the international efforts to assist in setting up the new Afghan Parliament and ensure its efficient functioning, which will be critical to the political future of Afghanistan and the steps towards a free and democratic Afghanistan;

6. *Also welcomes* the substantial progress in the disarmament, demobilization and reintegration process in accordance with the Bonn Agreement,[148] encourages the Government of Afghanistan to continue its active efforts to accelerate the process towards its completion by June 2006, to disband the illegal armed groups and to dispose of the ammunition stockpile, and requests the international community to further extend assistance for these efforts;

7. *Further welcomes* the effort to date of the Government of Afghanistan to implement its National Drug Control Strategy, adopted in May 2003, including through the launch of the Counter-narcotics Implementation Plan, in February 2005, which reflects a new determination of the Government to tackle the cultivation, production and trafficking of drugs, urges the Government to take decisive action to stop the processing and trade of drugs and to pursue the specific measures set out in that plan in the fields of: building institutions; information campaigns; alternative livelihoods; interdiction and law enforcement; criminal justice; eradication; demand reduction and treatment of addicts; and regional cooperation, and calls upon the international community to provide every possible assistance to the Government in pursuing full implementation of all aspects of the plan;

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[150] S/2002/1416, annex.

[151] S/2005/183.

8. *Supports* the fight against the illicit trafficking in drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including increased cooperation among them to strengthen anti-narcotic controls to curb the drug flow, and welcomes in this context the signing on 1 April 2004 of the Berlin Declaration on Counter-Narcotics within the framework of the Kabul Declaration on Good-neighbourly Relations;[150]

9. *Requests* the Mission to continue to support the ongoing effort for the establishment of a fair and transparent justice system, including the reconstruction and reform of the prison sector, in order to strengthen the rule of law throughout the country;

10. *Calls for* full respect for human rights and international humanitarian law throughout Afghanistan, and in this regard requests the Mission, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist in the full implementation of the human rights provisions of the new Afghan Constitution, in particular those regarding the full enjoyment by women of their human rights, commends the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect these rights, welcomes in this regard the Commission's report of 29 January 2005 and the proposed national strategy for transitional justice, and requests international support for that endeavour;

11. *Welcomes* the development of the Afghan National Army and Afghan National Police and the ongoing efforts to increase their capabilities as important steps towards the goal of Afghan security forces providing security and ensuring the rule of law throughout the country;

12. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the Operation Enduring Freedom Coalition and the International Security Assistance Force, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by Al-Qaida operatives, the Taliban and other extremist groups, factional violence among militia forces and criminal activities, in particular violence involving the drug trade;

13. *Requests* the Secretary-General to report to the Council in a timely manner on developments in Afghanistan, and to make recommendations on the future role of the Mission, after the parliamentary elections;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5148th meeting.

Decisions

At its 5215th meeting, on 24 June 2005, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan, and Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime.

EXCHANGE OF LETTERS BETWEEN THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE INDIA-PAKISTAN QUESTION[152]

Decision

On 27 August 2004, the President of the Security Council addressed the following letter to the Secretary-General:[153]

> "I have the honour to inform you that your letter dated 24 August 2004 concerning your intention to appoint Major General Guido Palmieri, of Italy, as the Chief Military Observer of the United Nations Military Observer Group in India and Pakistan[154] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

REPORTS OF THE SECRETARY-GENERAL ON THE SUDAN[155]

Decisions

At its 5027th meeting, on 2 September 2004, the Security Council considered the item entitled:

"Report of the Secretary-General on the Sudan

> "Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

At its 5040th meeting, on 18 September 2004, the Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Report of the Secretary-General on the Sudan

> "Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703)".

Resolution 1564 (2004)
of 18 September 2004

The Security Council,

Recalling its resolution 1556 (2004) of 30 July 2004, the statement by its President of 25 May 2004,[156] its resolution 1547 (2004) of 11 June 2004 and resolution 1502 (2003) of 26 August 2003, and taking into account the Plan of Action agreed by the Special Representative of the Secretary-General for the Sudan and the Government of the Sudan,

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[152] Resolutions or decisions on this question were also adopted by the Security Council from 1998 to 2002.

[153] S/2004/696.

[154] S/2004/695.

[155] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2004.

[156] S/PRST/2004/18.

Welcoming the report of the Secretary-General of 30 August 2004[157] and the progress achieved on humanitarian access, and expressing concern that paragraphs 59 to 67 indicate that the Government of the Sudan has not fulfilled the entirety of its commitments under resolution 1556 (2004) and taking into account the need to foster and restore the confidence of vulnerable populations and to improve radically the overall security environment in Darfur; and welcoming the recommendations contained in the report, particularly those concerning the desirability of a substantially increased presence of the African Union mission in the Darfur region of the Sudan,

Welcoming also the leadership role and the engagement of the African Union in addressing the situation in Darfur,

Welcoming further the letter dated 6 September 2004 to the President of the Security Council from the Chairman of the African Union, the President of the Federal Republic of Nigeria, Mr. Olusegun Obasanjo, including his appeal for international support for the extension of the African Union mission in Darfur,

Reaffirming its commitment to the sovereignty, unity, territorial integrity and independence of the Sudan, as consistent with the Machakos Protocol of 20 July 2002 and subsequent agreements based thereon, as agreed to by the Government of the Sudan,

Recalling the joint communiqué of 3 July 2004 issued by the Government of the Sudan and the Secretary-General, and recognizing the efforts undertaken by the Joint Implementation Mechanism and the Special Representative of the Secretary-General to advance the aims of the communiqué and the requirements of resolution 1556 (2004),

Welcoming the fact that the Government of the Sudan has taken a number of steps to lift administrative obstructions to the delivery of humanitarian relief, which has resulted in access for an increased number of humanitarian personnel in Darfur, as well as international human rights non-governmental institutions, and recognizing that the Government of the Sudan has broadened its cooperation with United Nations humanitarian agencies and their partners,

Urging the Government of the Sudan and the rebel groups to facilitate this humanitarian relief by allowing unfettered access for humanitarian supplies and workers, including across the borders of the Sudan with Chad and Libya by land and by air as may be required,

Expressing grave concern at the lack of progress with regard to security and the protection of civilians, disarmament of the Janjaweed militias and the identification and bringing to justice of the Janjaweed leaders responsible for violations of human rights and international humanitarian law in Darfur,

Recalling that the Government of the Sudan bears the primary responsibility to protect its population within its territory, to respect human rights and to maintain law and order, and that all parties are obliged to respect international humanitarian law,

Stressing that the Sudanese rebel groups, particularly the Justice and Equality Movement and the Sudan Liberation Movement/Army, must also take all necessary steps to respect international humanitarian and human rights law,

Emphasizing that the ultimate resolution of the crisis in Darfur must include the safe and voluntary return of internally displaced persons and refugees to their original homes, and noting in that regard the memorandum of understanding of 21 August 2004 between the Government of the Sudan and the International Organization for Migration,

Expressing its determination to do everything possible to end the suffering of the people of Darfur,

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[157] S/2004/703.

Determining that the situation in the Sudan constitutes a threat to international peace and security and to stability in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Declares its grave concern* that the Government of the Sudan has not fully met its obligations noted in resolution 1556 (2004) and the joint communiqué of 3 July 2004 with the Secretary-General to improve, as expected by the Security Council, the security of the civilian population of Darfur in the face of continued depredations, and deplores the recent ceasefire violations by all parties, in particular the reports by the Ceasefire Commission of the Government of the Sudan's helicopter assaults and Janjaweed attacks on Yassin, Hashaba and Gallab villages on 26 August 2004;

2. *Welcomes and supports* the intention of the African Union to enhance and augment its monitoring mission in the Darfur region of the Sudan, and encourages the undertaking of proactive monitoring;

3. *Urges* Member States to support the African Union in these efforts, including by providing all equipment, logistical, financial, material and other resources necessary to support the rapid expansion of the African Union mission and by supporting the efforts of the African Union aimed at a peaceful conclusion of the crisis and the protection of the welfare of the people of Darfur, welcomes the Government of the Sudan's request to the African Union to increase its monitoring presence in Darfur in its letter dated 9 September 2004 to the Council, and urges the Government of the Sudan to take all steps necessary to follow through with this commitment and to cooperate fully with the African Union to ensure a secure and stable environment;

4. *Calls upon* the Government of the Sudan and the rebel groups, particularly the Justice and Equality Movement and the Sudan Liberation Movement/Army, to work together under the auspices of the African Union to reach a political solution in the negotiations currently being held in Abuja under the leadership of President Obasanjo, notes the progress made to date, urges the parties to the negotiations to sign and implement the humanitarian agreement immediately and to conclude a protocol on security issues as soon as possible, and underscores and supports the role of the African Union in monitoring the implementation of all such agreements reached;

5. *Urges* the Government of the Sudan and the Sudan People's Liberation Movement to conclude a comprehensive peace accord expeditiously as a critical step towards the development of a peaceful and prosperous Sudan;

6. *Affirms* that internally displaced persons, refugees and other vulnerable peoples should be allowed to return to their homes voluntarily, in safety and with dignity, and only when adequate assistance and security are in place;

7. *Reiterates its call for* the Government of the Sudan to end the climate of impunity in Darfur by identifying and bringing to justice all those responsible, including members of popular defence forces and Janjaweed militias, for the widespread human rights abuses and violations of international humanitarian law, and insists that the Government of the Sudan take all appropriate steps to stop all violence and atrocities;

8. *Calls upon* all Sudanese parties to take the necessary steps to ensure that violations reported by the Ceasefire Commission are addressed immediately and that those responsible for such violations are held accountable;

9. *Demands* that the Government of the Sudan submit to the African Union mission for verification, documentation, particularly the names of Janjaweed militiamen disarmed and names of those arrested for human rights abuses and violations of international humanitarian law, with regard to its performance relative to resolution 1556 (2004) and the N'Djamena ceasefire agreement of 8 April 2004;

10. *Also demands* that all armed groups, including rebel forces, cease all violence, cooperate with international humanitarian relief and monitoring efforts and ensure that their

members comply with international humanitarian law, and facilitate the safety and security of humanitarian staff;

11. *Reiterates its full support* for the N'Djamena ceasefire agreement, and in this regard urges the Government of the Sudan to refrain from conducting military flights in and over the Darfur region in accordance with its commitments;

12. *Requests* that the Secretary-General rapidly establish an international commission of inquiry in order immediately to investigate reports of violations of international humanitarian and human rights law in Darfur by all parties, to determine also whether or not acts of genocide have occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable, calls upon all parties to cooperate fully with such a commission, and also requests the Secretary-General, in conjunction with the Office of the United Nations High Commissioner for Human Rights, to take appropriate steps to increase the number of human rights monitors deployed to Darfur;

13. *Calls upon* Member States to provide in an urgent manner generous and sustained contributions to the humanitarian efforts under way in Darfur and Chad to address the shortfall in response to continued United Nations appeals, emphasizes the need for Member States to fulfil their pledges forthwith, and welcomes the substantial contributions made to date;

14. *Declares* that, in the event that the Government of the Sudan fails to comply fully with resolution 1556 (2004) or the present resolution, including, as determined by the Council after consultations with the African Union, failure to cooperate fully with the expansion and extension of the African Union monitoring mission in Darfur, the Council shall consider taking additional measures as contemplated in Article 41 of the Charter of the United Nations, such as actions to affect the Sudan's petroleum sector and the Government of the Sudan or individual members of the Government, in order to take effective action to obtain such full compliance or full cooperation;

15. *Requests* that, in the monthly reports pursuant to resolution 1556 (2004), the Secretary-General report to the Council on the Government of the Sudan's progress or lack thereof in complying with the Council's demands in the present resolution and the effort by the Government of the Sudan and the Sudan People's Liberation Movement to conclude a comprehensive peace accord on an urgent basis;

16. *Decides* to remain seized of the matter.

Adopted at the 5040th meeting
by 11 votes to none with 4 abstentions
(Algeria, China, Pakistan
and Russian Federation).

Decisions

At its 5046th meeting, held in private on 30 September 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5046th meeting, held in private on 30 September 2004, the Security Council considered the item entitled 'Report of the Secretary-General on the Sudan'.
>
> "Mr. Mustafa Osman Ismail, Minister for Foreign Affairs of the Sudan, was invited, in response to his request, to participate in the discussion, in accordance with rule 37 of the provisional rules of procedure of the Council.
>
> "The Council heard a briefing by Mr. Mustafa Osman Ismail.
>
> "Members of the Council and Mr. Mustafa Osman Ismail had a constructive exchange of views."

At its 5050th meeting, on 5 October 2004, the Council considered the item entitled:

"Report of the Secretary-General on the Sudan

> "Progress report of the Secretary-General on the Sudan pursuant to paragraph 7 of Security Council resolution 1547 (2004) (S/2004/763)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

At its 5071st meeting, on 4 November 2004, the Council considered the item entitled:

"Report of the Secretary-General on the Sudan

> "Report of the Secretary-General on the Sudan pursuant to paragraph 15 of Security Council resolution 1564 (2004) of 18 September 2004, and paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004) of 30 July 2004 (S/2004/881)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

At its 5080th meeting, held in Nairobi on 18 November 2004, the Council decided to invite the First Vice-President of the Sudan, the representative of Nigeria, representing the current Chairman of the African Union to participate, without vote, in the discussion of the item entitled " Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army.

Upon resumption of the meeting, on 18 November 2004, the Council further decided to invite the President of the Republic of Uganda, Chairman of the Intergovernmental Authority on Development, to participate, without vote, in the discussion of the item.

At its 5081st meeting, held in private in Nairobi on 18 November 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 18 November 2004, the Security Council held its 5081st meeting in private.
>
> "Mr. Ahmed Aboul-Gheit, Minister for Foreign Affairs of Egypt, was invited to participate in the discussion in accordance with rule 37 of the provisional rules of procedure of the Council.
>
> "Mr. Lazarus Sumbeiywo, Special Envoy for the Intergovernmental Authority on Development on the Sudan, was invited to participate in the discussion in accordance with rule 39 of the provisional rules of procedure of the Council.
>
> "The Council heard statements by Mr. Aboul-Gheit and Mr. Sumbeiywo.
>
> "Members of the Council, the Secretary-General, Mr. Kofi Annan, Mr. Ali Othman Taha, First Vice-President of the Sudan, Mr. Aminu B. Wali, Permanent Representative of Nigeria to the United Nations and representative of the Chairman of the African Union, and Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army, had a constructive exchange of views."

At its 5082nd meeting, held in Nairobi on 19 November 2004, the Council decided to invite the First Vice-President of the Sudan, the Minister of International Development of Norway and the representatives of Australia, Japan and the Netherlands to participate, without vote, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army, and Mr. Samir Hosni, Director of African Administration and African-Arab Cooperation of the League of Arab States.

Resolution 1574 (2004)
of 19 November 2004

The Security Council,

Recalling its resolutions 1547 (2004) of 11 June 2004, 1556 (2004) of 30 July 2004 and 1564 (2004) of 18 September 2004 and the statements by its President concerning the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Reaffirming its support for the Machakos Protocol of 20 July 2002 and subsequent agreements based on that Protocol,

Expressing its determination to help the people of the Sudan to promote national reconciliation, lasting peace and stability, and to build a prosperous and united Sudan in which human rights are respected and the protection of all citizens is assured,

Recalling that it welcomed the signature of the declaration on 5 June 2004 in Nairobi, in which the parties confirmed their agreement to the six protocols signed between the Government of the Sudan and the Sudan People's Liberation Movement/Army and reconfirmed their commitment to completing the remaining stages of negotiations,

Commending again the work and continued support of the Intergovernmental Authority on Development, in particular, the Government of Kenya as Chair of the Subcommittee on the Sudan, in facilitating the peace talks in Nairobi, recognizing the efforts of the Civilian Protection Monitoring Team, the Joint Military Commission in the Nuba Mountains and the Verification and Monitoring Team in support of the peace process, and expressing its hope that the Intergovernmental Authority will continue to play a vital role during the transitional period,

Encouraging the parties to conclude speedily a comprehensive peace agreement, and stressing the need for the international community, once such an agreement has been signed and implementation begins, to provide assistance towards its implementation,

Emphasizing that progress towards resolution of the conflict in Darfur would create conditions conducive for delivery of such assistance,

Expressing its serious concern at the growing insecurity and violence in Darfur, the dire humanitarian situation, continued violations of human rights and repeated breaches of the ceasefire, and reiterating in this regard the obligation of all parties to implement the commitments, referred to in its previous resolutions on the Sudan,

Condemning all acts of violence and violations of human rights and international humanitarian law by all parties, and emphasizing the need for perpetrators of all such crimes to be brought to justice without delay,

Recalling, in this regard, that all parties, including the Sudanese rebel groups such as the Justice and Equality Movement and the Sudan Liberation Army, must respect human rights and international humanitarian law, and also recalling the primary responsibility of the Government of the Sudan to protect its population within its territory and to maintain law and order, while respecting human rights, *Stressing* the importance of further progress towards resolving the crisis in Darfur, welcoming the vital and wide-ranging role being played by the African Union towards that end, and welcoming the decision of the Government of the Sudan in favour of the expansion of the African Union mission,

Taking note of the reports of the Secretary-General of 28 September 2004[158] and 2 November 2004,[159]

Deeply concerned by the situation in the Sudan and its implications for international peace and security and stability in the region,

1. *Declares its strong support* for the efforts of the Government of the Sudan and the Sudan People's Liberation Movement/Army to reach a comprehensive peace agreement, encourages the parties to redouble their efforts, welcomes the signing of the memorandum of understanding in Nairobi on 19 November 2004 entitled "Declaration on the conclusion of negotiations of the Intergovernmental Authority on Development on peace in the Sudan", annexed to the present resolution, and the agreement that the six protocols referred to in the Nairobi Declaration of 5 June 2004 constitute and form the core peace agreement, and strongly endorses the parties' commitment to reach a final comprehensive agreement by 31 December 2004, and expects that it will be fully and transparently implemented, with the appropriate international monitoring;

2. *Declares its commitment*, upon conclusion of a comprehensive peace agreement, to assist the people of the Sudan in their efforts to establish a peaceful, united and prosperous nation, on the understanding that the parties are fulfilling all their commitments, including those agreed in Abuja and N'Djamena;

3. *Urges* the joint assessment mission of the United Nations, the World Bank and the parties, in association with other bilateral and multilateral donors, to continue their efforts to prepare for the rapid delivery of an assistance package for the reconstruction and economic development of the Sudan, including official development assistance, possible debt relief and trade access, to be implemented once a comprehensive peace agreement has been signed and its implementation begins;

4. *Welcomes* the initiative of the Government of Norway to convene an international donors conference for the reconstruction and economic development of the Sudan upon the signing of a comprehensive peace agreement;

5. *Also welcomes* the continued operations of the Joint Military Commission, the Civilian Protection Monitoring Team, and the Verification and Monitoring Team, in anticipation of the implementation of a comprehensive peace agreement and the establishment of a United Nations peace support operation;

6. *Reiterates its readiness*, upon the signature of a comprehensive peace agreement, to consider establishing a United Nations peace support operation to support the implementation of that agreement, and reiterates its request to the Secretary-General to submit to the Security Council, as soon as possible after the signing of a comprehensive peace agreement, recommendations for the size, structure and mandate of such an operation, including also a timetable for its deployment;

7. *Welcomes* the preparatory work already carried out by the United Nations Advance Mission in the Sudan, established by its resolution 1547 (2004), endorses the proposals in the reports of the Secretary-General of 28 September 2004[158] and 2 November 2004[159] to increase its staffing, extends the mandate of the Advance Mission by a further three months until 10 March

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[158] S/2004/763.

[159] S/2004/881.

2005, and calls upon the Sudan People's Liberation Movement/Army to commit to full cooperation with the Advance Mission.

8. *Calls upon* all countries in the region to do their utmost to support actively the full and timely implementation of a comprehensive peace agreement;

9. *Emphasizes* that a comprehensive peace agreement will contribute towards sustainable peace and stability throughout the Sudan and to the efforts to address the crisis in Darfur, and underlines the need for a national and inclusive approach, including the role of women, towards reconciliation and peacebuilding;

10. *Underlines* the importance of progress in peace talks in Abuja between the Government of the Sudan and the Sudan Liberation Army and the Justice and Equality Movement towards resolving the crisis in Darfur, insists that all parties to the Abuja peace talks negotiate in good faith to reach agreement speedily, welcomes the signature in Abuja of the Humanitarian and Security Protocols on 9 November 2004, urges the parties to implement them rapidly, and looks forward to the early signature of a declaration of principles with a view to a political settlement;

11. *Demands* that Government and rebel forces and all other armed groups immediately cease all violence and attacks, including abduction, refrain from forcible relocation of civilians, cooperate with international humanitarian relief and monitoring efforts, ensure that their members comply with international humanitarian law, facilitate the safety and security of humanitarian staff, and reinforce throughout their ranks their agreements to allow unhindered access and passage by humanitarian agencies and those in their employ, in accordance with resolution 1502 (2003) of 26 August 2003 on the access of humanitarian workers to populations in need and with the Abuja Protocols of 9 November 2004;

12. *Decides*, in accordance with its previous resolutions on the Sudan, to monitor compliance by the parties with their obligations in that regard and, subject to a further decision of the Council, to take appropriate action against any party failing to fulfil its commitments;

13. *Strongly supports* the decisions of the African Union to increase its mission in Darfur to 3,320 personnel and to enhance its mandate to include the tasks listed in paragraph 6 of the communiqué of 20 October 2004 of the Peace and Security Council of the African Union, urges Member States to provide the required equipment, logistical, financial, material and other necessary resources, and urges the Government of the Sudan and all rebel groups in Darfur to cooperate fully with the African Union;

14. *Reiterates its call upon* Member States to provide urgent and generous contributions to the humanitarian efforts under way in the Sudan and Chad;

15. *Calls upon* all parties to cooperate fully with the International Commission of Inquiry established by the Secretary-General, as described in his letter dated 4 October 2004 to the President of the Security Council,[160] the outcome of which will be communicated to the Council;

16. *Reiterates* the importance of deploying more human rights monitors to Darfur;

17. *Requests* the Secretary-General to keep it regularly informed of developments in the Sudan, and to make any recommendations for action to ensure implementation of the present resolution and its previous resolutions on the Sudan;

18. *Decides* to remain seized of the matter.

Adopted unanimously at the 5802nd meeting.

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[160] S/2004/812.

Annex

Declaration on the conclusion of negotiations of the Intergovernmental Authority on Development on peace in the Sudan

Gigiri, Nairobi: Friday, 19 November 2004

WHEREAS the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Army (the Parties) reconfirmed in the Nairobi Declaration of 5 June 2004, on the final phase of the negotiations on peace in the Sudan led by the Intergovernmental Authority on Development, their agreement on the six texts, including the Machakos Protocol as well as the texts relating to power sharing, wealth sharing, security arrangements, and resolution of the conflict in southern Kordofan/Nuba Mountains, Blue Nile and Abyei area;

WHEREAS the Parties in a joint press statement on 16 October 2004, "recommitted themselves to finalize and conclude the comprehensive peace agreement in recognition that prompt completion of the peace process is essential for all the people of the Sudan as it will help in resolving all challenges facing the country";

ACKNOWLEDGING the progress made to date on the security arrangements and ceasefire details including the extensive work that has been accomplished in the implementation modalities annexes; and

DECLARING that the conclusion of the initiative led by the Intergovernmental Authority on Development is central to a comprehensive peace agreement in the Sudan including the resolution of the conflict in Darfur;

NOW HEREBY THE PARTIES AFFIRM that the six protocols referred to in the Nairobi Declaration of 5 June 2004 constitute and form the core peace agreement and therefore invite the United Nations Security Council in this, its Nairobi sitting, to pass a resolution endorsing the six protocols.

FURTHER the Parties declare their commitment to expeditiously complete negotiations on the two annexes on ceasefire agreement and implementation modalities so as to conclude and sign the comprehensive peace agreement no later than 31 December 2004.

For the Government of the Republic of the Sudan
(*Signed*) Mr. Yahya Hussein **Babikar**

For the Sudan People's Liberation Movement/Army
(*Signed*) Cdr. Nhial **Deng Nhial**

Witnessed by:

On behalf of the envoys of the Intergovernmental Authority on Development:

(*Signed*) Lt. Gen. Lazaro K. **Sumbeiywo** (Rtd.)

Special Representative of the Secretary-General of the United Nations
(*Signed*) Mr. Jan **Pronk**

In the presence of the United Nations Security Council:

Permanent Representative of Algeria to the United Nations
(*Signed*) Ambassador Abdallah **Baali**

Permanent Representative of Angola to the United Nations
(*Signed*) Ambassador Ismael Gaspar **Martins**

Permanent Representative of Benin to the United Nations
(*Signed*) Ambassador Joël **Adechi**

Permanent Representative of Brazil to the United Nations
(*Signed*) Ambassador Ronaldo **Sardenberg**

Permanent Representative of Chile to the United Nations
(*Signed*) Ambassador Heraldo **Muñoz**

Permanent Representative of China to the United Nations
(*Signed*) Ambassador **Wang** Guangya

Permanent Representative of France to the United Nations
(*Signed*) Ambassador Jean-Marc **de La Sablière**

Permanent Representative of Germany to the United Nations
(*Signed*) Ambassador Gunter **Pleuger**

Permanent Representative of Pakistan to the United Nations
(*Signed*) Ambassador Munir **Akram**

Permanent Representative of the Philippines to the United Nations
(*Signed*) Ambassador Lauro **Baja**, Jr.

Permanent Representative of Romania to the United Nations
(*Signed*) Ambassador Mihnea **Motoc**

Permanent Representative of the Russian Federation to the United Nations
(*Signed*) Ambassador Andrey **Denisov**

Permanent Representative of Spain to the United Nations
(*Signed*) Ambassador Juan Antonio **Yáñez-Barnuevo**

Permanent Representative of the United Kingdom of Great Britain
and Northern Ireland to the United Nations
(*Signed*) Ambassador Emyr **Jones Parry**

Permanent Representative of the United States of America to the United Nations
(*Signed*) Ambassador John **Danforth**

Decisions

At its 5094th meeting, on 7 December 2004, the Security Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004), and paragraph 17 of Security Council resolution 1574 (2004) (S/2004/947)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5109th meeting, on 11 January 2005, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004), and paragraph 17 of Security Council resolution 1574 (2004) (S/2005/10)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

At its 5119th meeting, on 4 February 2005, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2005/57)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

At its 5120th meeting, on 8 February 2005, the Council decided to invite the First Vice-President of the Sudan to participate, without vote, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army, Mr. Baba Gana Kingibe, Special Representative of the Chairperson of the Commission of the African Union in the Sudan, and Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

At its 5125th meeting, on 16 February 2005, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/60)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Louise Arbour, United Nations High Commissioner for Human Rights.

At its 5137th meeting, on 10 March 2005, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 1585 (2005)
of 10 March 2005

The Security Council,

Recalling its resolutions 1547 (2004) of 11 June 2004, 1556 (2004) of 30 July 2004 and 1574 (2004) of 19 November 2004,

Reaffirming its readiness to support the peace process,

1. *Decides* to extend the mandate of the United Nations Advance Mission in the Sudan, established by its resolution 1547 (2004), until 17 March 2005;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5137th meeting.

Decision

At its 5143rd meeting, on 17 March 2005, the Security Council considered the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 1588 (2005)
of 17 March 2005

The Security Council,

Recalling its resolutions 1547 (2004) of 11 June 2004, 1556 (2004) of 30 July 2004, 1574 (2004) of 19 November 2004 and resolution 1585 (2005) of 10 March 2005,

Reaffirming its readiness to support the peace process,

1. *Decides* to extend the mandate of the United Nations Advance Mission in the Sudan, established by its resolution 1547 (2004), until 24 March 2005;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5143rd meeting.

Decisions

At its 5151st meeting, on 24 March 2005, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the Sudan (S/2005/57 and Add.1)
>
> "Letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/60)
>
> "Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004) (S/2005/68)
>
> "Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004) (S/2005/140)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

Resolution 1590 (2005)
of 24 March 2005

The Security Council,

Recalling its resolutions 1547 (2004) of 11 June 2004, 1556 (2004) of 30 July 2004, 1564 (2004) of 18 September 2004, 1574 (2004) of 19 November 2004, 1585 (2005) of 10 March 2005 and 1588 (2005) of 17 March 2005, and the statements by its President concerning the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Welcoming the signing of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army in Nairobi on 9 January 2005,

Recalling the commitments made by the parties in the N'Djamena ceasefire agreement of 8 April 2004 and the Humanitarian and Security Protocols of 9 November 2004 signed in Abuja between the Government of the Sudan, the Sudan Liberation Movement/Army and the Justice and Equality Movement, and recalling the commitments made in the joint communiqué of 3 July 2004 of the Government of the Sudan and the Secretary-General, *Expressing its determination* to help the people of the Sudan to promote national reconciliation, lasting peace and stability, and to build a prosperous and united Sudan in which human rights are respected and the protection of all citizens is assured,

Taking note of the statements by Mr. Ali Osman Taha, First Vice-President of the Government of the Sudan and Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army, at the meeting of the Security Council on 8 February 2005,[161] and their strong will and determination to find a peaceful resolution to the conflict in Darfur, as expressed at the meeting,

Recognizing that the parties to the Comprehensive Peace Agreement must build on the Agreement to bring peace and stability to the entire country, and calling upon all Sudanese parties, in particular those party to the Agreement, to take immediate steps to achieve a peaceful settlement to the conflict in Darfur and to take all necessary action to prevent further violations of human rights and international humanitarian law and to put an end to impunity, including in the Darfur region,

Expressing its utmost concern over the dire consequences of the prolonged conflict for the civilian population in the Darfur region as well as throughout the Sudan, in particular the increase in the number of refugees and internally displaced persons,

Considering that the voluntary and sustainable return of refugees and internally displaced persons will be a critical factor for the consolidation of the peace process,

Expressing its deep concern for the security of humanitarian workers and their access to populations in need, including refugees, internally displaced persons and other war-affected populations,

Condemning the continued violations of the N'Djamena ceasefire agreement and the Abuja Protocols by all sides in Darfur and the deterioration of the security situation and the negative impact this has had on humanitarian assistance efforts,

Strongly condemning all violations of human rights and international humanitarian law in the Darfur region, in particular the continuation of violence against civilians and sexual violence against women and girls since the adoption of resolution 1574 (2004), urging all parties to take necessary steps to prevent further violations, and expressing its determination to ensure that those responsible for all such violations are identified and brought to justice without delay,

Recalling the demands in resolutions 1556 (2004), 1564 (2004) and 1574 (2004) that all parties to the conflict in Darfur refrain from any violence against civilians and cooperate fully with the African Union mission in Darfur,

Commending the efforts of the African Union, in particular its Chairman, acknowledging the progress made by the African Union in the deployment of an international protection force, police and military observers, and calling upon all Member States to contribute generously and urgently to the African Union mission in Darfur,

Commending also the efforts of the Intergovernmental Authority on Development, in particular the Government of Kenya as Chair of the Subcommittee on the Sudan,

Reaffirming its resolutions 1325 (2000) of 31 October 2000 on women and peace and security, 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 on children and armed conflict, as well as resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict and resolution 1502 (2003) of 26 August 2003 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones,

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[161] See S/PV.5120.

Welcoming the efforts by the United Nations to sensitize United Nations personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its established operations,

Expressing grave concern at the allegations of sexual exploitation and misconduct by United Nations personnel in United Nations established operations, and welcoming the letter dated 9 February 2005 from the Secretary-General to the Council in this regard, affirming that there will be a zero-tolerance policy toward sexual exploitation and abuse of any kind in all United Nations peacekeeping missions,[162]

Recognizing that international support for implementation of the Comprehensive Peace Agreement is critically important to its success, emphasizing that progress towards resolution of the conflict in Darfur would create conditions conducive for delivery of such assistance, and alarmed that the violence in Darfur nonetheless continues,

Taking note of the reports of the Secretary-General of 31 January 2005,[163] 4 February 2005,[164] and 4 March 2005,[165] as well as the report of 25 January 2005 of the International Commission of Inquiry for Darfur,[166]

Taking note also of the request of the parties to the Comprehensive Peace Agreement for the establishment of a peace support mission,

Expressing appreciation for the important contributions of the Standby High-Readiness Brigade towards the planning, preparation and initial deployment of a peacekeeping operation, as well as the preparatory work by the United Nations Advance Mission in the Sudan,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to establish the United Nations Mission in the Sudan for an initial period of six months and further decides that the Mission will consist of up to 10,000 military personnel and an appropriate civilian component including up to 715 civilian police personnel;

2. *Requests* that the Mission closely and continuously liaise and coordinate at all levels with the African Union Mission in the Sudan with a view to expeditiously reinforcing the effort to foster peace in Darfur, especially with regard to the Abuja peace process and the African Union Mission in the Sudan;

3. *Requests* the Secretary General, through his Special Representative for the Sudan, to coordinate all the activities of the United Nations system in the Sudan, to mobilize resources and support from the international community for both immediate assistance and the long-term economic development of the Sudan and to facilitate coordination with other international actors, in particular the African Union and the Intergovernmental Authority on Development, of activities in support of the transitional process established by the Comprehensive Peace Agreement, and to provide good offices and political support for the efforts to resolve all ongoing conflicts in the Sudan;

4. *Decides* that the mandate of the Mission shall be the following:

(*a*) To support implementation of the Comprehensive Peace Agreement by performing the following tasks:

(i) To monitor and verify the implementation of the N'Djamena ceasefire agreement and to investigate violations;

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[162] S/2005/79.

[163] S/2005/57 and Add.1.

[164] S/2005/68.

[165] S/2005/140.

[166] See S/2005/60.

(ii) To liaise with bilateral donors on the formation of joint integrated units;

(iii) To observe and monitor movement of armed groups and redeployment of forces in the areas of deployment of the Mission in accordance with the ceasefire agreement;

(iv) To assist in the establishment of the disarmament, demobilization and reintegration programme as called for in the Comprehensive Peace Agreement, with particular attention to the special needs of women and child combatants, and its implementation through voluntary disarmament and weapons collection and destruction;

(v) To assist the parties to the Comprehensive Peace Agreement in promoting understanding of the peace process and the role of the Mission by means of an effective public information campaign, targeted at all sectors of society, in coordination with the African Union;

(vi) To assist the parties to the Comprehensive Peace Agreement in addressing the need for a national inclusive approach, including the role of women, towards reconciliation and peacebuilding;

(vii) To assist the parties to the Comprehensive Peace Agreement, in coordination with bilateral and multilateral assistance programmes, in restructuring the police service in the Sudan, consistent with democratic policing, to develop a police training and evaluation programme, and to otherwise assist in the training of civilian police;

(viii) To assist the parties to the Comprehensive Peace Agreement in promoting the rule of law, including an independent judiciary, and the protection of human rights of all people of the Sudan through a comprehensive and coordinated strategy with the aim of combating impunity and contributing to long-term peace and stability and to assist the parties to the Agreement to develop and consolidate the national legal framework;

(ix) To ensure an adequate human rights presence, capacity and expertise within the Mission to carry out human rights promotion, civilian protection and monitoring activities;

(x) To provide guidance and technical assistance to the parties to the Comprehensive Peace Agreement, in cooperation with other international actors, to support the preparations for and conduct of elections and referendums provided for by the Agreement;

(*b*) To facilitate and coordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance, inter alia, by helping to establish the necessary security conditions;

(*c*) To assist the parties to the Comprehensive Peace Agreement, in cooperation with other international partners in the mine-action sector, by providing humanitarian demining assistance, technical advice and coordination;

(*d*) To contribute towards international efforts to protect and promote human rights in the Sudan, as well as to coordinate international efforts towards the protection of civilians with particular attention to vulnerable groups including internally displaced persons, returning refugees, and women and children, within the Mission's capabilities and in close cooperation with other United Nations agencies, related organizations and non-governmental organizations;

5. *Requests* the Secretary-General to report to the Council within thirty days on options for how the Mission can reinforce the effort to foster peace in Darfur through appropriate assistance to the African Union Mission in the Sudan, including logistical support and technical assistance, and to identify ways in liaison with the African Union to utilize the Mission's resources, particularly logistical and operations support elements, as well as reserve capacity towards this end;

6. *Calls upon* all parties to cooperate fully in the deployment and operations of the Mission, in particular by guaranteeing the safety, security and freedom of movement of United Nations personnel as well as associated personnel throughout the territory of the Sudan;

7. *Emphasizes* that there can be no military solution to the conflict in Darfur, and calls upon the Government of the Sudan and the rebel groups, particularly the Justice and Equality Movement and the Sudan Liberation Movement/Army to resume the Abuja talks rapidly, without preconditions, and negotiate in good faith to speedily reach agreement, and urges the parties to the Comprehensive Peace Agreement to play an active and constructive role in support of the Abuja talks and take immediate steps to support a peaceful settlement to the conflict in Darfur;

8. *Calls upon* all Member States to ensure the free, unhindered and expeditious movement to the Sudan of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of the Mission;

9. *Calls upon* all parties to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need, and delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

10. *Requests* that the Secretary-General transfer all functions performed by the United Nations Advance Mission in the Sudan to the Mission, together with staff and logistics of the office as appropriate, on the date when the Mission is established, and to ensure a seamless transition between the United Nations and existing monitoring missions, namely the Verification Monitoring Team, the Joint Monitoring Commission and the Civilian Protection Monitoring Team;

11. *Also requests* the Secretary-General to keep the Council regularly informed of the progress in implementing the Comprehensive Peace Agreement, respect for the ceasefire and the implementation of the mandate of the Mission, including a review of the troop level, with a view to its adjusted reduction, taking account of the progress made on the ground and the tasks remaining to be accomplished, and to report to the Council in this regard every three months;

12. *Further requests* that the Secretary-General continue to report on a monthly basis on the situation in Darfur;

13. *Urges* the joint assessment mission of the United Nations, the World Bank and the parties, in association with other bilateral and multilateral donors, to continue their efforts to prepare for the rapid delivery of an assistance package for the reconstruction and economic development of the Sudan, including official development assistance and trade access, to be implemented once implementation of the Comprehensive Peace Agreement begins, welcomes the initiative of the Government of Norway to convene an international donors conference for the reconstruction and economic development of the Sudan, and urges the international community accordingly to donate generously, including to address the needs of internally displaced persons and refugees;

14. *Requests* the Secretary-General to take the necessary measures to achieve actual compliance in the Mission with the United Nations zero-tolerance policy towards sexual exploitation and abuse, including the development of strategies and appropriate mechanisms to prevent, identify and respond to all forms of misconduct, including sexual exploitation and abuse, and the enhancement of training for personnel to prevent misconduct and ensure full compliance with the United Nations code of conduct, requests the Secretary-General to take all necessary action in accordance with the Bulletin on special measures for protection from sexual exploitation and sexual abuse[167] and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including the conduct of predeployment awareness training,

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[167] ST/SGB/2003/13.

and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

15. *Reaffirms* the importance of appropriate expertise on issues relating to gender in peacekeeping operations and post-conflict peacebuilding in accordance with resolution 1325 (2000), recalls the need to address violence against women and girls as a tool of warfare, and encourages the Mission, as well as the Sudanese parties to actively address these issues;

16. *Acting* under Chapter VII of the Charter of the United Nations,

(*a*) *Decides* that the Mission is authorized to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities, to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of United Nations personnel, humanitarian workers, joint assessment mechanism and assessment and evaluation commission personnel, and, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under imminent threat of physical violence; and

(*b*) *Requests* that the Secretary-General and the Government of the Sudan, following appropriate consultation with the Sudan People's Liberation Movement, conclude a status-of-forces agreement within thirty days of adoption of the present resolution, taking into consideration General Assembly resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and notes that pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[168] shall apply provisionally;

17. *Underscores* the immediate need to rapidly increase the number of human rights monitors in Darfur, and urges the Secretary-General and the United Nations High Commissioner for Human Rights to undertake to accelerate the deployment of human rights monitors to Darfur and augment their numbers and also to move forward with the formation of civilian monitoring protection teams, and expects that the Secretary-General will report on progress on the formation of these teams in his reports to the Council as outlined in paragraph 11 above;

18. *Decides* to remain seized of the matter.

Adopted unanimously at the 5151st meeting.

Decision

At its 5153rd meeting, on 29 March 2005, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2005/57 and Add.1)

"Letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/60)

"Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004) (S/2005/68)

"Report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004) and paragraph 17 of resolution 1574 (2004) (S/2005/140)".

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[168] See A/45/594.

Resolution 1591 (2005)
of 29 March 2005

The Security Council,

Recalling its resolutions 1547 (2004) of 11 June 2004, 1556 (2004) of 30 July 2004, 1564 (2004) of 18 September 2004, 1574 (2004) of 19 November 2004, 1585 (2005) of 10 March 2005, 1588 (2005) of 17 March 2005 and 1590 (2005) of 24 March 2005, and statements by its President concerning the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling the commitments made by the parties in the N'Djamena ceasefire agreement of 8 April 2004 and the Humanitarian and Security Protocols of 9 November 2004 signed in Abuja between the Government of the Sudan, the Sudan Liberation Movement/Army and the Justice and Equality Movement, and recalling the commitments made in the joint communique of 3 July 2004 of the Government of the Sudan and the Secretary-General,

Welcoming the signing of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army in Nairobi on 9 January 2005,

Recognizing that the parties to the Comprehensive Peace Agreement must build on the Agreement to bring peace and stability to the entire country, and calling upon all Sudanese parties, in particular those party to the Agreement, to take immediate steps to achieve a peaceful settlement to the conflict in Darfur and to take all necessary action to prevent further violations of human rights and international humanitarian law and to put an end to impunity, including in the Darfur region,

Expressing its utmost concern over the dire consequences of the prolonged conflict for the civilian population in the Darfur region as well as throughout the Sudan, in particular the increase in the number of refugees and internally displaced persons,

Considering that the voluntary and sustainable return of refugees and internally displaced persons will be a critical factor for the consolidation of the peace process,

Expressing its deep concern for the security of humanitarian workers and their access to populations in need, including refugees, internally displaced persons and other war-affected populations,

Condemning the continued violations of the N'Djamena ceasefire agreement and the Abuja Protocols by all sides in Darfur and the deterioration of the security situation and negative impact this has had on humanitarian assistance efforts,

Strongly condemning all violations of human rights and international humanitarian law in the Darfur region, in particular the continuation of violence against civilians and sexual violence against women and girls since the adoption of resolution 1574 (2004), urging all parties to take necessary steps to prevent further violations, and expressing its determination to ensure that those responsible for all such violations are identified and brought to justice without delay,

Recognizing that international support for implementation of the Comprehensive Peace Agreement is critically important to its success, emphasizing that progress towards resolution of the conflict in Darfur would create conditions conducive for delivery of such assistance, and alarmed that the violence in Darfur nonetheless continues,

Recalling the demands, in resolutions 1556 (2004), 1564 (2004) and 1574 (2004), that all parties to the conflict in Darfur refrain from any violence against civilians and cooperate fully with the African Union mission in Darfur,

Welcoming the N'Djamena summit on Darfur held on 16 February 2005 and the continued commitment of the African Union to play a key role in facilitating a resolution to the conflict in

Darfur in all respects, and the announcement by the Government of the Sudan on 16 February 2005 that it would take immediate steps, including withdrawal of its forces from Labado, Qarifa, and Marla in Darfur, and the withdrawal of its Antonov aircraft from Darfur,

Commending the efforts of the African Union, in particular its Chairman, acknowledging the progress made by the African Union in the deployment of an international protection force, police and military observers, and calling upon all Member States to contribute generously and urgently to the African Union mission in Darfur,

Reaffirming its resolutions 1325 (2000) of 31 October 2000 on women and peace and security, 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 on children and armed conflict, as well as resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict and resolution 1502 (2003) of 26 August 2003 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones,

Taking note of the reports of the Secretary-General of 3 December 2004,[169] 31 January 2005,[163] 4 February 2005[164] and 4 March 2005,[165] as well as the report of 25 January 2005 of the International Commission of Inquiry for Darfur,[166]

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Strongly deplores* the fact that the Government of the Sudan and rebel forces and all other armed groups in Darfur have failed to comply fully with their commitments and the demands of the Security Council referred to in resolutions 1556 (2004), 1564 (2004) and 1574 (2004), condemns the continued violations of the N'Djamena ceasefire agreement and the Abuja Protocols, including air strikes by the Government of the Sudan in December 2004 and January 2005 and rebel attacks on Darfur villages in January 2005, and the failure of the Government of the Sudan to disarm Janjaweed militiamen and apprehend and bring to justice Janajaweed leaders and their associates who have committed violations of human rights and international humanitarian law and other atrocities, and demands that all parties take immediate steps to fulfil all their commitments to respect the N'Djamena ceasefire agreement and the Abuja Protocols, including notification of force positions, to facilitate humanitarian assistance, and to cooperate fully with the African Union mission;

2. *Emphasizes* that there can be no military solution to the conflict in Darfur, and calls upon the Government of the Sudan and the rebel groups, particularly the Justice and Equality Movement and the Sudan Liberation Movement/Army to resume the Abuja talks rapidly, without preconditions, and negotiate in good faith to speedily reach agreement, and urges the parties to the Comprehensive Peace Agreement to play an active and constructive role in support of the Abuja talks and take immediate steps to support a peaceful settlement to the conflict in Darfur;

3. *Decides*, in the light of the failure of all parties to the conflict in Darfur to fulfil their commitments:

(*a*) To establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Council consisting of all the members of the Council (hereinafter "the Committee") to undertake the following tasks:

(i) To monitor implementation of the measures referred to in subparagraphs (*d*) and (*e*) of the present paragraph and paragraphs 7 and 8 of resolution 1556 (2004), and paragraph 7 below;

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[169] S/2004/947.

(ii) To designate those individuals subject to the measures imposed by subparagraphs (*d*) and (*e*) of the present paragraph and to consider requests for exemptions in accordance with subparagraphs (*f*) and (*g*) of the present paragraph;

(iii) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed by subparagraphs (*d*) and (*e*) of the present paragraph;

(iv) To report at least every ninety days to the Council on its work;

(v) To consider requests from and, as appropriate, provide prior approval to the Government of the Sudan for the movement of military equipment and supplies into the Darfur region in accordance with paragraph 7 below;

(vi) To assess reports from the panel of experts established under subparagraph (*b*) of the present paragraph, and Member States, in particular those in the region, on specific steps they are taking to implement the measures imposed by subparagraphs (*d*) and (*e*) of the present paragraph and paragraph 7 below;

(vii) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(*b*) To request the Secretary-General, in consultation with the Committee, to appoint for a period of six months, within thirty days of adoption of the present resolution, a panel of experts comprised of four members and based in Addis Ababa to travel regularly to El Fasher and other locations in the Sudan, and to operate under the direction of the Committee to undertake the following tasks:

(i) To assist the Committee in monitoring implementation of the measures in subparagraphs (*d*) and (*e*) of the present paragraph, paragraphs 7 and 8 of resolution 1556 (2004), and paragraph 7 below, and to make recommendations to the Committee on actions the Council may want to consider;

(ii) To provide a midterm briefing on its work to the Committee and an interim report no later than ninety days after adoption of the present resolution, and a final report no later than thirty days prior to termination of its mandate to the Council through the Committee with its findings and recommendations; and

(iii) To coordinate its activities as appropriate with ongoing operations of the African Union Mission in the Sudan;

(*c*) That those individuals, as designated by the Committee established by subparagraph (*a*) of the present paragraph, based on the information provided by Member States, the Secretary-General, the United Nations High Commissioner for Human Rights or the Panel of Experts established under subparagraph (*b*) of the present paragraph, and other relevant sources, who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the measures implemented by Member States in accordance with paragraphs 7 and 8 of resolution 1556 (2004) and paragraph 7 below as implemented by a State, or are responsible for offensive military overflights described in paragraph 6 below, shall be subject to the measures identified in subparagraphs (*d*) and (*e*) of the present paragraph;

(*d*) That all States shall take the necessary measures to prevent entry into or transit through their territories of all persons as designated by the Committee pursuant to subparagraph (*c*) of the present paragraph, provided that nothing in the present subparagraph shall obligate a State to refuse entry into its territory to its own nationals;

(*e*) That all States shall freeze all funds, financial assets and economic resources that are on their territories on the date of adoption of the present resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons designated by the Committee pursuant to subparagraph (*c*) of the present paragraph, or that are held by entities owned or controlled, directly or indirectly, by such persons or by persons acting on their behalf or at their direction, and decides also that all States shall ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such persons or entities;

(*f*) That the measures imposed by subparagraph (*d*) of the present paragraph shall not apply where the Committee established by subparagraph (*a*) of the present paragraph determines on a case by case basis that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the Council's resolutions for the creation of peace and stability in the Sudan and the region;

(*g*) That the measures imposed by subparagraph (*e*) of the present paragraph do not apply to funds, other financial assets and economic resources:

(i) That have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges or for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification;

(ii) That have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(iii) That have been determined by relevant States to be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds or other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee, and has been notified by the relevant States to the Committee;

4. *Decides also* that the measures referred to in subparagraphs 3 (*d*) and (*e*) above shall enter into force thirty days from the date of adoption of the present resolution, unless the Council determines before then that the parties to the conflict in Darfur have complied with all the commitments and demands referred to in paragraph 1 above and paragraph 6 below;

5. *Expresses its readiness* to consider the modification or termination of the measures under paragraph 3 above, on the recommendation of the Committee or at the end of a period of twelve months from the date of adoption of the present resolution, or earlier if the Council determines before then that the parties to the conflict in Darfur have complied with all the commitments and demands referred to in paragraph 1 above and paragraph 6 below;

6. *Demands* that the Government of the Sudan, in accordance with its commitments under the N'Djamena ceasefire agreement and the Abuja Security Protocol, immediately cease conducting offensive military flights in and over the Darfur region, and invites the African Union Ceasefire Commission to share pertinent information as appropriate in this regard with the Secretary-General, the Committee, or the Panel of Experts established under paragraph 3 (*b*) above;

7. *Reaffirms* the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) and decides that these measures shall, immediately upon adoption of the present resolution, also apply to all the parties to the N'Djamena ceasefire agreement and any other belligerents in the states of Northern Darfur, Southern Darfur and Western Darfur; decides that these measures shall not apply to the supplies and related technical training and assistance listed in paragraph 9 of resolution

1556 (2004); decides also that these measures shall not apply with respect to assistance and supplies provided in support of implementation of the Comprehensive Peace Agreement; decides further that these measures shall not apply to movements of military equipment and supplies into the Darfur region that are approved in advance by the Committee established under paragraph 3 (*a*) above upon a request by the Government of the Sudan; and invites the African Union Ceasefire Commission to share pertinent information as appropriate in this regard with the Secretary-General, the Committee or the Panel of Experts established under paragraph 3 (*b*) above;

8. *Reiterates* that, in the event the parties fail to fulfil their commitments and demands as outlined in paragraphs 1 and 6 above, and the situation in Darfur continues to deteriorate, the Council will consider further measures as provided for in Article 41 of the Charter of the United Nations;

9. *Decides* to remain seized of the matter.

Adopted at the 5153rd meeting
by 12 votes to none, with 3 abstentions
(Algeria, China and
Russian Federation).

Decisions

At its 5154th meeting, on 30 March 2005, the Security Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/60)".

At its 5158th meeting, on 31 March 2005, the Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/60)".

Resolution 1593 (2005)
of 31 March 2005

The Security Council,

Taking note of the report of the International Commission of Inquiry for Darfur on violations of international humanitarian law and human rights law in Darfur,[169]

Recalling article 16 of the Rome Statute of the International Criminal Court,[170] under which no investigation or prosecution may be commenced or proceeded with by the International Criminal Court for a period of twelve months after a Security Council request to that effect,

Also recalling articles 75 and 79 of the Rome Statute, and encouraging States to contribute to the International Criminal Court's Trust Fund for Victims,

Taking note of the existence of agreements referred to in article 98, paragraph 2, of the Rome Statute,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

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[170] See *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to refer the situation in Darfur since 1 July 2002 to the Prosecutor of the International Criminal Court;

2. *Decides also* that the Government of the Sudan and all other parties to the conflict in Darfur shall cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor pursuant to the present resolution and, while recognizing that States not party to the Rome Statute of the Court[170] have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully;

3. *Invites* the Court and the African Union to discuss practical arrangements that will facilitate the work of the Prosecutor and of the Court, including the possibility of conducting proceedings in the region, which would contribute to regional efforts in the fight against impunity;

4. *Encourages* the Court, as appropriate and in accordance with the Rome Statute, to support international cooperation with domestic efforts to promote the rule of law, protect human rights and combat impunity in Darfur;

5. *Emphasizes* the need to promote healing and reconciliation, and encourages in this respect the creation of institutions, involving all sectors of Sudanese society, such as truth and/or reconciliation commissions, in order to complement judicial processes and thereby reinforce the efforts to restore long-lasting peace, with African Union and international support as necessary;

6. *Decides* that nationals, current or former officials or personnel from a contributing State outside the Sudan which is not a party to the Rome Statute shall be subject to the exclusive jurisdiction of that contributing State for all alleged acts or omissions arising out of or related to operations in the Sudan established or authorized by the Security Council or the African Union, unless such exclusive jurisdiction has been expressly waived by that contributing State;

7. *Recognizes* that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily;

8. *Invites* the Prosecutor to address the Council within three months of the date of adoption of the present resolution and every six months thereafter on actions taken pursuant to the present resolution;

9. *Decides* to remain seized of the matter.

Adopted at the 5158th meeting
by 11 votes to none, with 4 abstentions
(Algeria, Brazil, China
and United States of America).

Decisions

At its 5176th meeting, on 12 May 2005, the Security Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan (S/2005/285)

"Monthly report of the Secretary-General on Darfur (S/2005/305)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 5177th meeting, on 12 May 2005, the Council considered the item entitled:

> "Reports of the Secretary-General on the Sudan
>
> "Report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan (S/2005/285)
>
> "Monthly report of the Secretary-General on Darfur (S/2005/305)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[171]

> "The Security Council welcomes the report of the Secretary-General of 3 May 2005 on assistance by the United Nations Mission in the Sudan to the African Union Mission in the Sudan[172] and the proposals therein on support the United Nations could make available to the African Union Mission.
>
> "The Council applauds the vital leadership role the African Union is playing in Darfur and the work of the African Union Mission on the ground. The Council supports the findings of the joint assessment mission, led by the African Union from 10 to 22 March 2005, which included the United Nations and other partners. The Council also supports the subsequent decision taken by the Peace and Security Council of the African Union on 28 April 2005 to expand its mission in Darfur to 7,731 personnel by the end of September 2005.
>
> "The Council welcomes the ongoing deployment of the United Nations Mission in the Sudan and looks forward to close coordination and cooperation between the Mission and the African Union Mission in the Sudan. In this context, the Council recalls its request in resolution 1590 (2005) for the United Nations Mission in the Sudan to closely and continuously liaise and coordinate, at all levels, with the African Union Mission in the Sudan with a view towards expeditiously reinforcing the effort to foster peace in Darfur, especially with regard to the Abuja peace process and the African Union Mission in the Sudan.
>
> "The Council welcomes the role played by the African Union's partners in support of the African Union Mission in the Sudan and underlines the active role played by the European Union and by other bilateral donors.
>
> "The Council emphasizes the importance of increased coordinated international assistance for the African Union effort in Darfur and emphasises the readiness of the United Nations to continue playing a key role. In this context, the Council welcomes the second joint assessment mission from 1 to 4 May 2005, which included representatives from the African Union, the United Nations and other partners. The Council looks forward to continuing contacts in order to facilitate provision of assistance as requested by the African Union. The Council welcomes, in this regard, the effort and intention of the Secretary-General to consult closely with the African Union on the scope and nature of possible United Nations support to the African Union Mission in the Sudan."

At its 5216th meeting, on 29 June 2005, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

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[171] S/PRST/2005/18.

[172] S/2005/285.

At its 5217th meeting, held in private on 29 June 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5217th meeting, held in private on 29 June 2005, the Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.
>
> "In accordance with the decision taken at the 5216th meeting, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.
>
> "The members of the Council and the Prosecutor of the International Criminal Court had an exchange of views after the briefing."

At its 5231st meeting, on 22 July 2005, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Monthly report of the Secretary-General on Darfur (S/2005/467)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

THE SITUATION IN GUINEA-BISSAU[173]

Decisions

On 3 September 2004, the President of the Security Council addressed the following letter to the Secretary-General:[174]

> "I have the honour to inform you that your letter dated 1 September 2004 concerning your intention to designate Mr. João Bernardo Honwana, of Mozambique, as your Representative in Guinea-Bissau and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau[175] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5069th meeting, on 2 November 2004, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled "The situation in Guinea-Bissau".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[176]

> "The Security Council expresses its deep concern at developments in Guinea-Bissau that led to the killings, on 6 October 2004, of the Chief of General Staff of the Armed Forces, General Verissimo Correia Seabra, and of the Chief of Human Resources, Colonel Domingos de Barros. The Council condemns in the strongest terms such use of force to settle differences or address grievances and, bearing in mind the position of the African Union on unconstitutional changes of government, as stated in the 1999 Algiers

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[173] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[174] S/2004/714.

[175] S/2004/713.

[176] S/PRST/2004/41.

Declaration[177] and the 2000 Lomé Declaration,[178] calls upon the Guinea-Bissau parties to refrain from attempting to seize power in Guinea-Bissau by force.

"The Council takes note of the signature of a memorandum of understanding, in Bissau, on 10 October 2004, and of the establishment of a commission to monitor its implementation, and underlines that the Government of Guinea-Bissau and national authorities must remain committed to the promotion of the rule of law and to the fight against impunity, including when considering ways of implementing the above-mentioned agreement.

"The Council urges all political parties to continue working, in good faith, with national authorities to complete the implementation of the Political Transition Charter before the holding of presidential elections by April 2005.

"The Council reaffirms that peace and stability in Guinea-Bissau are critical for peace and security in the West African subregion. As the Government of Guinea-Bissau tackles the military, political, institutional and economic problems that are responsible for recurrent political turmoil and instability in Guinea-Bissau, the Council underlines the importance of addressing their root causes as well as finding immediate solutions to improve the situation in the short term.

"The Council stresses the need for urgent measures by the international community to assist the Government of Guinea-Bissau to overcome the present crisis, in particular to reinforce the capacity of legitimate authorities to maintain political stability and to determine sound solutions to the country's most urgent and fundamental challenges, particularly the restructuring of the Armed Forces, the strengthening of the State and its institutions and the promotion of social and economic development.

"The Council welcomes the timely financial support already provided by the Economic Community of West African States and its members to the Government of Guinea-Bissau towards the payment of salary arrears due to military personnel. The Council calls upon international donors to contribute urgently to the Government of Guinea-Bissau's budget for civil service and military salaries and also encourages them to contribute to the Emergency Economic Management Fund, managed by the United Nations Development Programme.

"The Council also takes note, with appreciation, of the recent visit of a fact-finding mission from the Community of Portuguese-speaking Countries to Guinea-Bissau.

"The Council reiterates its call upon the international community to maintain its confidence in the process of democratic consolidation in Guinea-Bissau and to uphold its commitments to development in that country, particularly through its active preparation for and participation in the round-table conference scheduled to take place next December, in Brussels.

"The Council reaffirms its full support for the Representative of the Secretary-General in Guinea-Bissau and indicates its intention to consider suitable ways of improving the role of the United Nations Peacebuilding Support Office in Guinea-Bissau in the promotion of peace and security, as well as in the coordination of efforts aiming at social and economic development in the country.

"The Council requests the Secretary-General to submit to the United Nations, in his next report on the Support Office and the situation in Guinea-Bissau, suggestions on what contribution the United Nations could make towards an active and coordinated international effort to assist Guinea-Bissau."

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[177] A/54/424, annex II, decision AHG/Decl.1 (XXXV).

[178] A/55/286, annex II, decision AHG/Decl. 5 (XXXVI).

At its 5107th meeting, on 22 December 2004, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

> "The situation in Guinea-Bissau
>
> > "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2004/969)".

Resolution 1580 (2004)
of 22 December 2004

The Security Council,

Reaffirming its previous resolutions 1216 (1998) of 21 December 1998 and 1233 (1999) of 6 April 1999, and the statement by its President of 2 November 2004,[176]

Expressing its deep concern at recent developments in Guinea-Bissau, particularly the military mutiny of 6 October 2004 that resulted in the assassinations of the Chief of General Staff of the Armed Forces, General Verissimo Correia Seabra, and the Armed Forces spokesman, Colonel Domingos de Barros, and which has jeopardized gains made since the installation of the new Government after the legislative elections of March 2004,

Stressing the fact that such developments demonstrate the fragility of the ongoing transitional process and of national political institutions, and recognizing the risks they present to the conclusion of the transitional process,

Noting with concern that repeated acts of instability and unrest threaten efforts towards sustainable social and economic development, and may erode the confidence of bilateral partners and the international community,

Underlining the fact that the Government of Guinea-Bissau and national authorities must remain committed to the promotion of the rule of law and fight against impunity,

Welcoming the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country of 15 December 2004,[179] and his recommendations contained therein,

Reaffirming its full commitment to the promotion of peace and stability in Guinea-Bissau,

1. *Decides* to extend the mandate of the United Nations Peacebuilding Support Office in Guinea-Bissau, as a special political mission, for one year from the date of adoption of the present resolution;

2. *Decides also* to revise the mandate of the Support Office as follows:

(*a*) To support all efforts to enhance political dialogue, to promote national reconciliation and respect for the rule of law and human rights;

(*b*) To support the efforts of all national stakeholders to ensure the full restoration of constitutional normalcy in accordance with the provisions of the Political Transition Charter of 28 September 2003, including through the holding of free and transparent presidential elections;

(*c*) To assist with these elections in close cooperation with the United Nations country team and other international partners;

(*d*) To assist in strengthening the national mechanisms for conflict prevention during the remainder of the transitional period and beyond;

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[179] S/2004/969.

(*e*) To encourage and support national efforts to reform the security sector, including the development of stable civil-military relations, and to attract international support for these efforts;

(*f*) To encourage the Government to fully implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;[180]

(*g*) To work closely with the Resident Coordinator and the United Nations country team to mobilize international financial assistance to enable the Government to meet its immediate financial and logistical needs and implement its national reconstruction and social and economic development strategy;

(*h*) Within the framework of a comprehensive peacebuilding strategy, to actively support efforts of the United Nations system and Guinea-Bissau's other partners, towards strengthening State institutions and structures to enable them to uphold the rule of law, respect for human rights and the unimpeded and independent functioning of the executive, legislative and judicial branches of government;

3. *Encourages* the authorities of Guinea-Bissau to enhance political dialogue and pursue constructive civil-military relations, as a way forward, towards the peaceful completion of the political transition, including the holding of presidential elections as envisaged in the Political Transition Charter;

4. *Calls upon* the National Assembly of Guinea-Bissau, while addressing the issue of granting an amnesty for all those involved in military interventions since 1980, to take account of the principles of justice and fight against impunity;

5. *Strongly urges* the Government, together with military authorities and other concerned parties, to agree, as soon as possible, on a national plan for the reform of the security sector, in particular military reform;

6. *Invites* the Secretary-General to establish an emergency fund, to be administered by the United Nations Development Programme, to support efforts related to the planning and implementation of military reform;

7. *Appeals* to the international community to continue to provide assistance to help Guinea-Bissau to meet its immediate needs as well as its structural challenges, particularly by providing additional contributions to the Emergency Economic Management Fund as well as to the new fund mentioned above;

8. *Encourages* the establishment of a joint coordinating mechanism among the United Nations, the Economic Community of West African States and the Community of Portuguese-speaking Countries to ensure synergy and complementarity;

9. *Commends* the Bretton Woods institutions for their continued engagement in Guinea-Bissau and encourages them to continue their assistance;

10. *Requests* the Secretary-General to conduct a review of the Support Office with a view to adjusting its capacities to meet the requirements of its revised mandate;

11. *Also requests* the Secretary-General to keep the Security Council closely and regularly informed of developments on the ground and of the implementation of the present resolution, in particular of paragraphs 2 and 5 above, and in that regard requests the Secretary-General to submit a report every three months from the date of adoption of the present resolution;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5107th meeting

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[180] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

Decisions

At its 5157th meeting, on 31 March 2005, the Security Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

> "The situation in Guinea-Bissau
>
> > "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2005/174)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[181]

> "The Security Council recognizes some progress made in some areas in Guinea-Bissau, including the electoral process, and urges all political actors in the country to show unequivocal commitment to a peaceful electoral process, leading to peaceful, transparent, free and fair elections, by refraining from inspiring or promoting any sort of ethnic or religious hostilities, particularly with a view to obtaining political gains. In this regard, the Council strongly condemns any attempts to incite violence and to impede ongoing efforts towards peace, stability and social and economic development.
>
> "The Council expresses its growing concern at recent political developments in Guinea-Bissau, in particular the decision by the Partido da Renovação Social to select ex-President Koumba Yalá as its presidential candidate. Any decision, such as this, which challenges the Political Transition Charter has the potential to jeopardize the successful conclusion of the transitional process and forthcoming presidential elections.
>
> "The Council also expresses its deep concern at the fact that peace efforts have not yet generated sufficient social and economic benefits for the population that could discourage the use of force.
>
> "The Council stresses, at the same time, the urgent need for international support to the electoral process. It recalls previous appeals for increased international assistance to Guinea-Bissau, including to the forthcoming presidential elections, as part of an urgently needed peacebuilding strategy in that country.
>
> "The Council calls upon Guinea-Bissau's international development partners, including all concerned agencies of the United Nations system, to cooperate fully with the Government of Guinea-Bissau, which has been fully engaged in the implementation of the Political Transition Charter and in efforts to promote transparency and good governance. It welcomes, in this regard, the holding on 11 February 2005, in Lisbon, of the meeting of Guinea-Bissau's partners to prepare for the round-table conference and stresses the importance of strong participation in the donor round-table conference scheduled for October 2005.
>
> "The Council welcomes initial measures taken by the Chief of General Staff regarding the process of reform of the Armed Forces and the promotion of reconciliation among the military. The Council further encourages full inclusiveness and renewed commitment to reconciliation in the Armed Forces, and development of constructive civilian-military relations based on the Armed Forces as an institution subordinated to the elected civilian authorities. In accordance with its mandate in resolution 1580 (2004), it reaffirms the role of the United Nations Peacebuilding Support Office in Guinea-Bissau in encouraging and supporting national efforts to reform the security sector."

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[181] S/PRST/2005/14.

THE QUESTION CONCERNING HAITI[182]

Decisions

At its 5030th meeting, on 10 September 2004, the Security Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on Haiti (S/2004/698)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[183]

"The Security Council extends its appreciation to participating countries of the United Nations Stabilization Mission in Haiti, and hopes that those countries that have pledged to contribute troops and civilian police will do their utmost to expedite the early deployment of their personnel.

"The Council notes that, while the overall situation in Haiti has improved since last February, challenges by illegal armed groups to the authority of the Transitional Government are undermining stability and security in some parts of the country.

"The Council condemns attempts by some illegal armed groups to perform unauthorized law enforcement functions in some Haitian cities. The Council underscores the need for the Transitional Government to extend its control and authority throughout the country. It stresses the need for the Mission actively to assist the Transitional Government's security institutions in addressing the activities of all illegal armed groups, in accordance with the mandate provided in resolution 1542 (2004).

"The Council stresses the urgency of disbanding and disarming all illegal armed groups. It calls upon the Transitional Government to complete without delay the establishment of the required structures and the adoption of the required legal framework for the implementation of a national disarmament, demobilization and reintegration programme. It notes that the Mission will assist the Transitional Government in these efforts.

"The Council underlines the fact that stability and security remain key to the political and economic reconstruction efforts of the Transitional Government and the international community. It stresses the importance of building the capacity of an effective and professional national police in Haiti. It reiterates the importance of effective coordination and cooperation between the Mission and the Haitian National Police. It also underlines the urgency of improving the situation of human rights in the country, including women's rights.

"The Council underlines the fact that only a comprehensive and inclusive dialogue in Haiti can lay down the foundations of a peaceful and democratic political environment. It calls upon all Haitian political actors to participate in the national dialogue, as well as in the transition and in the electoral process to occur in 2005.

"The Council welcomes the fact that the Provisional Electoral Council has marked the start of the electoral process in Haiti by holding a broad dialogue on the preparation of elections. The Council encourages the United Nations and the Organization of American States to finalize a memorandum of understanding outlining the election responsibilities of each organization as soon as possible.

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[182] Resolutions or decisions on this question were also adopted by the Security Council from 1993 to 2000 and during the period from 1 January to 31 July 2004.

[183] S/PRST/2004/32.

"The Council reiterates that an end to impunity is key to national reconciliation in Haiti. The Council stresses that justice should apply equally to all citizens in that country and be carried out by an independent judicial system with the support of a reformed correctional system. The Council expresses its strong concern at reports of double standards in the administration of justice. The Council welcomes the intention expressed by the Transitional Government to cease travel restrictions without judicial justification in place against former civil servants and politicians. It urges the Transitional Government to end such restrictions without delay.

"The Council welcomes the results of the donors conference held in Washington, D.C., on 19 and 20 July 2004, and urges a timely disbursement of the funds pledged. The Council looks forward to the follow-up implementation meeting to be held in Port-au-Prince on 22 and 23 September 2004, taking into account the priorities identified by the Haitian Government's Interim Cooperation Framework.

"The Council reiterates its support for the establishment of a core group to maintain the mobilization of the international community, to increase the consultation among major stakeholders to enhance the coordination and effectiveness of the assistance for Haiti, and to contribute to the definition of a long-term development strategy aimed at the promotion of lasting peace and stability in that country.

"The Council welcomes the appointment of Mr. Juan Gabriel Valdés as Special Representative of the Secretary-General and Head of the United Nations Stabilization Mission in Haiti, and commits its full support to his work."

On 15 September 2004, the President of the Security Council addressed the following letter to the Secretary-General:[184]

"I have the honour to inform you that your letter dated 13 September 2004 concerning your intention to add Guatemala, Morocco, Spain and Sri Lanka to the list of countries providing military personnel to the United Nations Stabilization Mission in Haiti[185] has been brought to the attention of the members of the Council. They take note of the intention expressed in your letter."

At its 5090th meeting, on 29 November 2004, the Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2004/908)".

Resolution 1576 (2004)
of 29 November 2004

The Security Council,

Reaffirming its resolution 1542 (2004) of 30 April 2004, and recalling resolution 1529 (2004) of 29 February 2004 and relevant statements by its President on the situation in Haiti,

Commending the work of the Special Representative of the Secretary-General in support of the efforts of the Transitional Government of Haiti and all political actors in Haiti towards a comprehensive and inclusive national dialogue and reconciliation process, including the holding of fair and free elections in 2005 and the subsequent transfer of power to elected authorities,

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[184] S/2004/736.

[185] S/2004/735.

Underlining the fact that political reconciliation and economic reconstruction efforts remain key to the stability and security of Haiti, and in that regard stressing that all Member States, especially those in the region, should continue to support the Transitional Government in those efforts,

Urging the Transitional Government to continue to make progress in the implementation of the Interim Cooperation Framework, including by developing concrete projects for economic development, in close cooperation with, and with the full assistance of, the international community, in particular the United Nations and international financial institutions,

Welcoming the establishment of the Core Group on Haiti and the Ad Hoc Advisory Group on Haiti of the Economic and Social Council,

Condemning all acts of violence and the attempts by some armed groups to perform unauthorized law enforcement functions in the country,

Stressing, in that context, the urgency of conducting disarmament, demobilization and reintegration programmes, and urging the Transitional Government to establish, without delay, the national commission on disarmament, demobilization and reintegration,

Condemning all violations of human rights, and urging the Transitional Government to take all necessary measures to put an end to impunity,

Concerned by any arbitrary detention of people solely for their political affiliation, and calling upon the Transitional Government to release those against whom no charges have been brought,

Calling upon the international community to continue to address, in full support of the Transitional Government, the humanitarian needs caused by natural disasters in various parts of the country,

Welcoming the contribution made by Member States to the United Nations Stabilization Mission in Haiti, and urging troop and police-contributing countries to abide by the deployment schedules agreed, and noting in particular the need for more French-speaking police officers,

Noting the continuing existence of challenges to the political, social and economic stability of Haiti, and determining that the situation in Haiti continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations, as described in paragraph 7, section I, of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in resolution 1542 (2004), until 1 June 2005, with the intention to renew it for further periods;

2. *Encourages* the Transitional Government to continue to explore actively all possible ways to include in the democratic and electoral process those who currently remain outside the transition process but have rejected violence;

3. *Welcomes* the report of the Secretary-General of 18 November 2004 on the Mission,[188] and endorses the Secretary-General's recommendations as outlined in paragraphs 52 to 57 thereof;

4. *Urges* relevant international financial institutions and donor countries to disburse promptly the funds pledged at the International Donors Conference on Haiti, held in Washington, D.C., on 19 and 20 July 2004;

5. *Requests* the Secretary-General to provide a report to the Council at least every three months on the implementation by the Mission of its mandate;

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[188] S/2004/908.

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5090th meeting.

Decisions

On 2 December 2004, the President of the Security Council addressed the following letter to the Secretary-General:[187]

> "I have the honour to inform you that your letter dated 29 November 2004 concerning your intention to add Ecuador, Jordan and the Philippines to the list of countries that have agreed to provide military personnel to the United Nations Stabilization Mission in Haiti[188] has been brought to the attention of the members of the Security Council, who have taken note of your intention."

At its 5110th meeting, on 12 January 2005, the Council decided to invite the representatives of Barbados, Bolivia, Canada, Chile, Cuba, the Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Luxembourg, Mexico, Morocco, Norway, Paraguay, Peru and Uruguay to participate, without vote, in the discussion of the item entitled "The question concerning Haiti".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Juan Gabriel Valdés, Special Representative of the Secretary-General and Head of the United Nations Stabilization Mission in Haiti, and Mr. Luigi R. Einaudi, Acting Secretary General of the Organization of American States.

Upon resumption of the meeting, on 12 January 2005, the Council further decided to invite the representative of El Salvador to participate, without vote, in the discussion of the item.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Carol Bellamy, Executive Director of the United Nations Children's Fund.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[189]

> "The Security Council reaffirms the comprehensive mandate of the United Nations Stabilization Mission in Haiti as set forth in resolutions 1542 (2004) and 1576 (2004), and expresses its support for a United Nations presence in Haiti as long as necessary.
>
> "The Council underlines the fact that national reconciliation, security and economic development remain key to stability in Haiti, and in that regard stresses that all Member States and international organizations, especially those in the region, should support the Transitional Government of Haiti in those efforts.
>
> "The Council underlines the important role of the Mission in ensuring a secure environment and commends the recent joint operations by the Mission and the Haitian National Police, in particular against all illegal armed groups. It notes, however, that further urgent action is needed to continue to improve the security situation. The Council again calls upon all parties in Haiti to respect human rights and to renounce the use of violence to advance their goals.
>
> "The Council encourages the Transitional Government to create without delay the national commission on disarmament, demobilization and reintegration to address all armed

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[187] S/2004/942.

[188] S/2004/941.

[189] S/PRST/2005/1.

groups, particularly former members of the military, in a comprehensive manner. It notes that any compensation should be part of a comprehensive and durable solution.

"The Council renews its appeal for the prompt disbursement of the funds pledged by international financial institutions and donor countries at the International Donors Conference on Haiti, held in July 2004. It recognizes the need for the Mission, other organs of the United Nations system, international financial institutions and Member States to assist the Transitional Government in the preparation and implementation of development projects in Haiti, as well as quick-impact projects. The Council reiterates the need to assist the Transitional Government in establishing a long-term development strategy for Haiti, in accordance with the priorities set forth in the Interim Cooperation Framework.

"The Council welcomes recent steps taken by the Transitional Government to release some individuals being held without formal charge or trial, and calls upon the Transitional Government to review all such cases in order to ensure full respect for due process and the rule of law. In this regard, the Council calls upon the Mission to continue its support for the provision of human rights training to Haitian judicial, police and correctional authorities to ensure adherence to international norms and standards.

"The Council encourages the Transitional Government to continue to take steps towards a comprehensive and inclusive national dialogue and reconciliation process, and calls upon all political actors in Haiti to renounce violence and join this dialogue without delay. The Council fully supports the Mission's continuing facilitation of this process.

"The Council calls upon the Transitional Government, with the assistance of the Mission and the Organization of American States, urgently to take the necessary measures to ensure the holding of free and fair elections in 2005 and the subsequent transfer of power to elected authorities, and welcomes the recent decisions of the Provisional Electoral Council in its preparations. It encourages all political parties that have rejected violence to participate in the electoral process.

"The Council expresses its intention to organize a mission to Haiti before 1 June 2005, possibly in conjunction with a mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council.

"The Council expresses its gratitude to the countries that have contributed personnel to the Mission. It urges troop and police-contributing countries to complete the authorized strength of the Mission as soon as possible, stressing that prompt completion of this step is an essential requirement for the continuing success of the operation.

"The Council expresses its full support for the Special Representative of the Secretary-General for Haiti, Mr. Juan Gabriel Valdés, and commends the work done by the Mission and all of its personnel."

On 31 March 2005, the President of the Council addressed the following letter to the Secretary-General:[190]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Haiti from 13 to 16 April 2005, which I will lead as head of mission. The members of the Council have agreed on the terms of reference of the mission, a copy of which is enclosed herewith (see annex).

"The composition of the mission will be forwarded to you shortly.

"The mission will be held in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council.

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[190] S/2005/220.

"I would be grateful if you could have the present letter and the annex thereto circulated as a document of the Security Council.

"**Annex**

"**Terms of reference for the Security Council mission to Haiti, 13–16 April 2005**

"1. The Security Council has decided to organize a mission to Haiti led by Brazil, in conjunction with the Ad Hoc Advisory Group on Haiti of the Economic and Social Council. The visit will take place from 13 to 16 April 2005.

"2. The mission has the following objectives:

"(*a*) To convey the following message to local actors:

"(i) To express its full support for the United Nations Stabilization Mission in Haiti and for the United Nations presence in Haiti as long as necessary;

"(ii) To underscore the long-term commitment of the international community to stabilization and development in Haiti, and the need for continuing support of international and regional organizations to that end;

"(iii) To underline the leading role and the responsibilities of the Transitional Government of Haiti in its efforts to attain those objectives;

"(iv) To stress the need for improved coordination between the Transitional Government and the Mission to ensure security. To reaffirm and commend the continuing support of the Mission for the efforts of the Transitional Government;

"(v) To reiterate the need to reject violence, to respect human rights and to fight against impunity;

"(vi) To call upon all parties to engage fully in the electoral process according to the calendar proposed by the Provisional Electoral Council and to support the holding of free and fair elections, at both the local and national levels, during 2005 and the subsequent transfer of power to the elected authorities;

"(vii) To stress the utmost importance of the immediate launch of an inclusive national dialogue based on the ownership of the Haitian people;

"(viii) To convey the determination of the Security Council to see that all pledged funds are promptly disbursed;

"(*b*) To assess the level of coordination of the Mission in each aspect of its mandate, and between the capital and the outlying regions of Haiti;

"(*c*) To review the progress achieved so far and to assess the needs and requirements in the following areas:

"(i) Security:

"a. Police. To assess the current situation of the Haitian National Police and mechanisms for its reform and the creation of a credible, accountable and respected police force;

"b. The Mission. To assess the implementation of the security mandate of the Mission and the way ahead, taking into account the current capacity of the Haitian National Police and enhancing its coordination with the Mission;

"c. Disarmament, demobilization and reintegration. To evaluate steps towards the implementation of a disarmament, demobilization and reintegration programme that addresses all illegal armed groups in a comprehensive manner, including its legal basis, actions to be taken by the Transitional Government and measures requiring immediate implementation, including by the Mission;

"(ii) Political transition:

"a. Reconciliation. To assess the status of the national dialogue and the steps to be taken by the Transitional Government, with assistance from the Mission, in this regard;

"b. Elections. To assess the state of planning and implementation of the electoral process and to ensure that the elections are held as scheduled;

"(iii) Human rights. To assess the human rights situation, including the activities of the Haitian National Police, cases of unlawful detention and the special needs of women and children;

"(iv) Development:

"a. To assess and encourage the implementation of quick-impact projects that have a direct impact on the well-being of Haitians, in particular those living in the poor urban areas;

"b. To explore ways, in coordination with the Ad Hoc Advisory Group on Haiti of the Economic and Social Council, to assist the Transitional Government in the preparation and implementation of development projects in Haiti, as outlined in the Interim Cooperation Framework, and in the establishment of a long-term development strategy;

"(v) Institution-building. To analyse the evolution of projects and programmes in Haiti concerning the rule of law and security sector reform, including that of the judiciary and of correctional institutions, as well as to assess current needs and challenges in those areas;

"(vi) Humanitarian situation. To evaluate the humanitarian situation."

On 11 April 2005, the President of the Council addressed the following letter to the Secretary-General:[91]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Haiti from 13 to 16 April 2005, which will be led by Mr. Ronaldo Sardenberg, Permanent Representative of Brazil. In his capacity as President of the Council for the month of March, Mr. Sardenberg transmitted to you the terms of reference of the mission.[90]

"Following consultations among the members, it has been agreed that the composition of the mission is as follows:

"Brazil (Ambassador Ronaldo Sardenberg, head of mission)
"Algeria (Ambassador Abdallah Baali)
"Argentina (Ambassador César Mayoral)
"Benin (Ambassador Joël W. Adechi)
"China (Ambassador Wang Guangya)
"Denmark (Ambassador Lars Faaborg-Andersen)
"France (Ambassador Jean-Marc de La Sablière)
"Greece (Minister Counsellor Alexandra Papadopoulou)
"Japan (Ambassador Shinichi Kitaoka)
"Philippines (Ambassador Lauro L. Baja, Jr.)
"Romania (Ambassador Gheorghe Dumitru)
"Russian Federation (Ambassador Andrey I. Denisov)
"United Kingdom of Great Britain and Northern Ireland (Ambassador Adam Thomson)

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[91] S/2005/235.

> "United Republic of Tanzania (Ambassador Augustine P. Mahiga)
> "United States of America (Ambassador Anne W. Patterson)
>
> "The mission will be held in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council.
>
> I should be grateful if you could have this letter circulated as a document of the Security Council."

At its 5192nd meeting, on 31 May 2005, the Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2005/313)".

Resolution 1601 (2005)
of 31 May 2005

The Security Council,

Reaffirming resolutions 1542 (2004) of 30 April 2004 and 1576 (2004) of 29 November 2004, and recalling resolution 1529 (2004) of 29 February 2004, relevant statements by its President, as well as the report of the Security Council on its mission to Haiti from 13 to 16 April 2005,[192]

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations, as described in paragraph 7, section I, of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in resolution 1542 (2004), until 24 June 2005, with the intention to renew for further periods;

2. *Welcomes* the report of the Secretary-General;[193]

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 5192nd meeting.

Decisions

At its 5196th meeting, held in private on 7 June 2005, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5196th meeting, held in private on 7 June 2005, the Security Council considered the item entitled 'The question concerning Haiti'.
>
> "The President, with the consent of the Council, extended an invitation under rule 37 of the provisional rules of procedure of the Council to Mr. Gérard Latortue, Interim Prime Minister of the Republic of Haiti.
>
> "The members of the Council and the Interim Prime Minister of the Republic of Haiti had a constructive discussion."

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[192] S/2005/302.

[193] S/2005/313.

At its 5210th meeting, on 22 June 2005, the Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2005/313)".

Resolution 1608 (2005)
of 22 June 2005

The Security Council,

Reaffirming resolutions 1542 (2004) of 30 April 2004 and 1576 (2004) of 29 November 2004, and recalling resolution 1529 (2004) of 29 February 2004, relevant statements by its President, as well as the report of the Security Council on its mission to Haiti from 13 to 16 April 2005,[192]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Stressing that free and fair elections, open to all political parties that have renounced violence and with the broadest possible participation of the Haitian people, must take place in 2005 in accordance with the established timetable, and that the democratically elected authorities must take office on 7 February 2006,

Affirming its determination to ensure a secure and stable environment in which the electoral process can take place,

Condemning all violations of human rights, including lack of due process and prolonged pretrial detentions, and urging the Transitional Government of Haiti to take all necessary measures to put an end to impunity and to ensure progress in the respect for the rule of law, including by pursuing reforms in the Haitian National Police and in the justice and correctional systems,

Reaffirming the importance of appropriate expertise on issues relating to gender in peacekeeping operations and post-conflict peacebuilding in accordance with resolution 1325 (2000) of 31 October 2000, recalling the need to address violence against women and children, and encouraging the United Nations Stabilization Mission in Haiti, as well as the Transitional Government, to actively address these issues,

Underlining the fact that pervasive poverty is an important root cause of unrest in Haiti, and stressing that there can be no genuine stability without strengthening its economy, including through a long-term strategy for sustainable development and the strengthening of Haitian institutions,

Welcoming the approval of a national programme on disarmament, demobilization and reintegration by the Transitional Government, the United Nations Development Programme and the Mission, and emphasizing that its implementation is imperative for broader stabilization efforts to succeed,

Recalling that security, political reconciliation and economic reconstruction efforts remain key to the stability of Haiti,

Noting that the Haitian people must take responsibility for achieving stability, social and economic development and law and order,

Determining that the situation in Haiti continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, as described in paragraph 7, section I, of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in resolution 1542 (2004), until 15 February 2006, with the intention to renew for further periods;

2. *Welcomes* the report of the Secretary-General of 13 May 2005 on the Mission,[193] and supports the recommendations of the Secretary-General as outlined in paragraphs 44 to 52 thereof, as follows:

(*a*) A temporary increase, during the electoral period and subsequent political transition, of 750 personnel to the currently authorized military strength of the Mission in order to create a rapid reaction force in Haiti to provide increased security, in particular in and around Port-au-Prince;

(*b*) An increase of 50 military personnel in order to create a sector headquarters in Port-au-Prince, with the understanding that the Mission will optimize at all levels the coordination between military and police components to ensure efficient and better-integrated operations, including by posting United Nations staff civilian police officers in this headquarters;

(*c*) A temporary increase, during the electoral period and subsequent political transition, of 275 personnel to the current strength of the Mission's civilian police component to provide increased security;

(*d*) An assessment of the Haitian judiciary and correctional systems, including to explore possibilities for greater international community support, and a more active role of the Mission, to be submitted to the Security Council as soon as possible;

3. *Decides* that for a temporary period, the Mission will consist of a military component of up to 7,500 troops of all ranks and of up to 1,897 civilian police, and requests the Secretary-General to devise, in a timely manner, a progressive drawdown strategy of the Mission force levels for the post-election period, in accordance with the situation on the ground;

4. *Requests* the Secretary-General to share with the Council the overall plan for the successful holding of elections in Haiti, including voter registration, security, logistics, civic education, observation, and detailed budget information, urges Haitian authorities to increase and accelerate efforts to prepare for and ensure the smooth conduct of the elections, and calls upon international donors to provide the necessary resources to support the electoral process;

5. *Also requests* the Secretary-General to share with the Council the reform plan for the Haitian National Police, formulated by the Mission and the Haitian authorities, that includes the anticipated size, standards, implementation timetable and resources;

6. *Requests* that the Mission concentrate the use of its resources, including civilian police, towards increasing security and protection during the electoral period, including a review, as appropriate, of the rules of engagement of the individual civilian police officers;

7. *Also requests* that the Mission and the Haitian authorities take all necessary steps to achieve optimal coordination between the Mission's civilian police and the Haitian National Police;

8. *Reaffirms* the authority of the Mission to vet and certify new and existing Haitian National Police personnel for service, and urges the Transitional Government of Haiti to ensure that police personnel do not serve unless certified and to ensure that technical advice and recommendations provided by the Mission are fully implemented by Haitian authorities at all levels without delay;

9. *Calls upon* the Mission to make the Joint Mission Analysis Cell operational as soon as possible in order to pool and better use the information available to the military, police and civilian components of the Mission, and also calls for the use of the Mission's aviation assets in an efficient and effective manner in support of security operations;

10. *Urges* the Transitional Government to conduct thorough and transparent investigations into cases of human rights violations, particularly those allegedly involving Haitian National

Police officers, and requests that in order to support this effort the Mission make the Joint Special Investigation Unit operational as soon as possible;

11. *Welcomes* the launching on 7 April 2005 of the "national dialogue" by the Transitional Government and stresses that such a dialogue should serve the long-term aim of national reconciliation and, in the shorter term, the holding of credible and inclusive elections, urges the Transitional Government to redouble its efforts for this essential process, and invites all Haitians to participate in this dialogue without delay;

12. *Urges* the Transitional Government and the Mission to begin immediately effective implementation of the disarmament, demobilization and reintegration programme, and calls upon all Member States to provide timely financial, human and technical resources in support of this programme;

13. *Renews its appeal* for the accelerated disbursement of the funds pledged by international financial institutions and donors at the International Donors Conference on Haiti on 19 and 20 July 2004, supports the Cayenne follow-up donor conference held in Montreal, Canada, on 16 and 17 June 2005, and calls upon all donors to continue to assist Haiti;

14. *Requests* the Mission to strengthen its capacity to implement quick-impact projects, and calls for increased coordination between the various development actors in Haiti in order to ensure greater efficiency in development efforts;

15. *Invites* the Bretton Woods institutions to consider the issue of debt sustainability and the implications of the Highly Indebted Poor Countries Initiative for Haiti;

16. *Urges* the Mission to urgently develop and implement a proactive communications and public relations strategy, in order to improve the Haitian population's understanding of the mandate of the Mission and its role in Haiti;

17. *Welcomes* efforts undertaken by the Mission to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

18. *Requests* the Secretary-General to report to the Council on the effectiveness of the implementation of the mandate of the Mission at least once every three months, and requests that the Secretariat keep the Council members informed, on a regular basis, on the status of electoral preparations, including party and voter registration figures and other relevant data;

19. *Decides* to remain seized of the matter.

Adopted unanimously at the 5210th meeting.

THE SITUATION BETWEEN ERITREA AND ETHIOPIA[194]

Decision

At its 5032nd meeting, on 14 September 2004, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Progress report of the Secretary-General on Ethiopia and Eritrea (S/2004/708)".

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[194] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

Resolution 1560 (2004)
of 14 September 2004

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1531 (2004) of 12 March 2004,

Stressing its unwavering commitment to the peace process, including through the role played by the United Nations Mission in Ethiopia and Eritrea, and to the full and expeditious implementation of the comprehensive Peace Agreement signed on 12 December 2000 at Algiers by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 ("the Algiers Agreements"),[195] and the delimitation decision of the Eritrea-Ethiopia Boundary Commission of 13 April 2002,[196] embraced by the parties as final and binding in accordance with the Algiers Agreements,

Recalling that lasting peace between Ethiopia and Eritrea, as well as in the region, cannot be achieved without the full demarcation of the border between the parties,

Noting with concern, in this regard, the lack of progress made in the demarcation of the border, as reflected in the fourteenth report on the work of the Boundary Commission, of 20 August 2004,[197] which concludes that under the present circumstances the Commission is unable to progress with demarcation activities,

Expressing its concern about Ethiopia's ongoing rejection of significant parts of the decision of the Boundary Commission and its current lack of cooperation with the Commission,

Expressing disappointment about the continuing refusal of Eritrea to engage with the Special Envoy of the Secretary-General for Ethiopia and Eritrea, whose good offices represent a concrete opportunity for the parties to move the peace process forward,

Recalling the recent increase in United Nations peacekeeping activities and the need to allocate peacekeeping resources in the most effective manner, and recalling in this regard the additional burden caused by the delays in the demarcation process,

Having considered the report of the Secretary-General of 2 September 2004,[198] and fully supporting the observations made therein,

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 March 2005;

2. *Approves* the adjustments to the Mission, including its presence and operations, as recommended by the Secretary-General in paragraphs 13 to 18 of his report;[198]

3. *Calls upon* the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, to ensure the security of all staff of the Mission, and to remove immediately and unconditionally all restrictions on and impediments to the work and to the full and free movement of the Mission and its staff;

4. *Takes note* of positive developments in some areas of relations between the Mission and the parties, in this regard welcomes particularly the recent decision by Ethiopia to allow a direct high-altitude flight route between Asmara and Addis Ababa without any deviation, urges

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[195] S/2000/1183, annex, and S/2000/601, annex.

[196] S/2002/423, annex.

[197] S/2004/708, annex I.

[198] S/2004/708.

Ethiopia and Eritrea to take immediate steps, in consultation with the Mission, towards implementing the direct flights between the two capitals, and also in this regard calls upon Eritrea to reopen the Asmara to Barentu road;

5. *Stresses* that Ethiopia and Eritrea have the primary responsibility for the implementation of the Algiers Agreements[195] and the decision of the Eritrea-Ethiopia Boundary Commission,[196] and calls upon the parties to show political leadership to achieve a full normalization of their relationship, including through the adoption of further confidence-building measures;

6. *Calls upon* the parties to cooperate fully and promptly with the Boundary Commission and to create the necessary conditions for demarcation to proceed expeditiously, including through the payment of Ethiopia's dues to the Commission and the appointment of field liaison officers;

7. *Urges* Ethiopia to show the political will to reaffirm unequivocally its acceptance of the decision of the Boundary Commission, and to take the necessary steps to enable the Commission to demarcate the border without further delay;

8. *Reiterates its full support* for the Special Envoy of the Secretary-General for Ethiopia and Eritrea, Mr. Lloyd Axworthy, in his efforts to facilitate the implementation of the Algiers Agreements, the decision of the Boundary Commission and the normalization of diplomatic relations between the two countries through his good offices, and emphasizes that this appointment does not constitute an alternative mechanism;

9. *Calls upon* Eritrea to enter into dialogue and cooperation with the Special Envoy;

10. *Decides* to continue monitoring closely the steps taken by the parties in the implementation of their commitments under the relevant resolutions of the Security Council and under the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission;

11. *Requests* the Secretary-General to continue to monitor the situation closely, to review the mission's mandate in the light of progress made in the peace process and changes made to the Mission;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5032nd meeting.

Decision

At its 5139th meeting, on 14 March 2005, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2005/142)".

Resolution 1586 (2005)
of 14 March 2005

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1560 (2004) of 14 September 2004,

Stressing its unwavering commitment to the peace process, including through the role played by the United Nations Mission in Ethiopia and Eritrea, and to the full and expeditious implementation of the comprehensive Peace Agreement signed on 12 December 2000 at Algiers by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 ("the Algiers Agreements"),[197] and the delimitation decision of the Eritrea-Ethiopia Boundary Commission of

13 April 2002,[198] embraced by the parties as final and binding in accordance with the Algiers Agreements,

Welcoming the Secretary-General's determination that the Mission has been able to maintain the integrity of the Temporary Security Zone,

Expressing concern regarding the recent high concentration of Ethiopian troops in the areas adjacent to the Temporary Security Zone,

Recalling that lasting peace between Ethiopia and Eritrea, as well as in the region, cannot be achieved without the full demarcation of the border between the parties,

Seriously concerned with the decision of the Boundary Commission to take immediate steps to close down its field offices, due to the lack of progress made in the demarcation of the border, as reflected in the sixteenth report on the work of the Commission, of 24 February 2005,[199]

Expressing its concern about Ethiopia's ongoing rejection of significant parts of the decision of the Boundary Commission and its current lack of cooperation with the Commission, including the refusal to participate in the meeting of 22 February 2005,

Expressing its disappointment about the continuing refusal of Eritrea to engage with the Special Envoy of the Secretary-General for Ethiopia and Eritrea, whose good offices represent a concrete opportunity for both parties to move the peace process forward,

Recalling the recent increase in United Nations peacekeeping activities and the need to allocate peacekeeping resources in the most effective manner, and recalling in this regard the additional burden caused by the delays in the demarcation process,

Welcoming Eritrea's unconditional acceptance of the decision of the Boundary Commission,

Welcoming also Ethiopia's five-point peace proposal of 25 November 2004,[200]

Having considered the report of the Secretary-General of 7 March 2005,[201] and welcoming the observations made therein,

1. *Decides* to extend the present mandate of the United Nations Mission in Ethiopia and Eritrea until 15 September 2005;

2. *Calls upon* the parties to refrain from any increase of troops in the areas adjacent to the Temporary Security Zone, to give serious consideration to returning to the 16 December 2004 levels of deployment and, more generally, to refrain from any threat of use of force against each other;

3. *Also calls upon* the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, to ensure the security of all staff of the Mission, and to remove immediately and unconditionally all restrictions on and impediments to the work and to the full and free movement of the Mission and its staff;

4. *Takes note* of positive developments in some areas of relations between the Mission and the parties, in this regard urges Eritrea to take immediate steps, in consultation with the Mission, towards implementing the direct flights between Addis Ababa and Asmara, and also calls upon Eritrea to reopen the Asmara to Barentu road;

5. *Stresses* that Ethiopia and Eritrea have the primary responsibility for the implementation of the Algiers Agreements[197] and the decision of the Eritrea-Ethiopia Boundary Commission,[198] and calls upon the parties to show political leadership to achieve a full

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[199] S/2005/142, annex I.

[200] See S/2004/973/Add.1, appendix.

[201] S/2005/142.

normalization of their relationship, including through political dialogue for the adoption of further confidence-building measures and to consolidate progress achieved so far, by making full use of the existing framework of the Commission;

6. *Reiterates its call upon* the parties to cooperate fully and promptly with the Boundary Commission and to create the necessary conditions for demarcation to proceed expeditiously, including through the complete appointment by Ethiopia of its field liaison officers;

7. *Calls upon* Ethiopia without preconditions to start the implementation of demarcation, by taking the necessary steps to enable the Boundary Commission to demarcate the border completely and promptly;

8. *Expresses its concern* at the worsening humanitarian situation in Ethiopia and Eritrea and the implications this could have for the peace process, and calls upon Member States to continue to provide prompt and generous support for humanitarian operations in Ethiopia and Eritrea;

9. *Reiterates its full support* for the Special Envoy of the Secretary-General for Ethiopia and Eritrea, Mr. Lloyd Axworthy, in his efforts to facilitate the implementation of the Algiers Agreements, the decision of the Boundary Commission and the normalization of diplomatic relations between the two countries through his good offices, and emphasizes that this appointment does not constitute an alternative mechanism;

10. *Calls upon* Eritrea to accept the good offices of the Secretary-General and cooperate with his Special Envoy;

11. *Calls upon* the witnesses to the Algiers Agreements to play a more concerted and active role to facilitate their full implementation;

12. *Decides* to continue monitoring closely the steps taken by the parties in the implementation of their commitments under the relevant resolutions of the Security Council and under the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission;

13. *Requests* the Secretary-General to continue to monitor the situation closely, to review the mission's mandate in the light of progress made in the peace process and changes made to the Mission;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5139th meeting.

THE SITUATION IN LIBERIA[202]

Decision

At its 5036th meeting, on 17 September 2004, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Fourth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2004/725)".

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[202] Resolutions or decisions on this question have been adopted by the Security Council every year since 1991.

Resolution 1561 (2004)
of 17 September 2004

The Security Council,

Recalling its previous resolutions and statements by its President on Liberia, including its resolutions 1497 (2003) of 1 August 2003 and 1509 (2003) of 19 September 2003 and the statement by its President of 27 August 2003,[203] and other relevant resolutions and statements,

Welcoming the report of the Secretary-General of 10 September 2004[204] and its recommendations,

Recognizing the critical role the Economic Community of West African States continues to play in the Liberian peace process, and welcoming the support and continued engagement of the African Union and its close coordination with the Economic Community of West African States and the United Nations,

Noting the substantial progress made to date in the disarmament phase of the programme of disarmament, demobilization, rehabilitation and reintegration of ex-combatants,

Recalling that its resolutions 1521 (2003) of 22 December 2003 and 1532 (2004) of 12 March 2004 provide for measures against any individuals engaged in activities aimed at undermining peace and stability in Liberia and the subregion,

1. *Decides* to extend the mandate of the United Nations Mission in Liberia until 19 September 2005;

2. *Calls upon* all Liberian parties to demonstrate their full commitment to the peace process and to work together to ensure that free, fair and transparent elections take place as planned no later than October 2005;

3. *Calls upon* the international community to respond to the continuing need for funds for the critically important rehabilitation and reintegration phase and to fulfil pledges made at the International Reconstruction Conference on Liberia, held in New York on 5 and 6 February 2004;

4. *Requests* the Secretary-General through his Special Representative to continue to report periodically to the Council on the progress made by the Mission in the implementation of its mandate;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5036th meeting.

Decision

At its 5105th meeting, on 21 December 2004, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 23 September 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/752)
>
> "Letter dated 6 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/955)".

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[203] S/PRST/2003/14

[204] S/2004/725

Resolution 1579 (2004)
of 21 December 2004

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Taking note of the reports of the Panel of Experts on Liberia of 24 September[205] and 6 December 2004[206] submitted pursuant to resolution 1549 (2004) of 17 June 2004,

Taking note also of the letter dated 13 December 2004 from the Special Representative of the Secretary-General in Liberia to the Chairman of the Security Council Committee established pursuant to paragraph 21 of resolution 1521 (2003) of 22 December 2003,

Recognizing the linkage between the illegal exploitation of natural resources such as diamonds and timber, the illicit trade in such resources and the proliferation and trafficking of arms as one of the sources of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

Recalling that the measures imposed under resolution 1521 (2003) were designed to prevent such illegal exploitation from fuelling a resumption of the conflict in Liberia, as well as to support the implementation of the Comprehensive Peace Agreement signed at Accra on 18 August 2003,[207] and the extension of the authority, throughout Liberia, of the National Transitional Government of Liberia,

Expressing its satisfaction that the full deployment of the United Nations Mission in Liberia has contributed to the improvement of security throughout Liberia, while recognizing that the National Transitional Government of Liberia has not yet established its authority throughout Liberia,

Expressing concern that former President of Liberia Charles Taylor and others still closely associated with him continue to engage in activities that undermine peace and stability in Liberia and the region,

Having reviewed the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) of 12 March 2004 and the progress made towards achieving the objectives set forth in paragraphs 5, 7 and 11 of resolution 1521 (2003),

Welcoming the steps taken by the National Transitional Government of Liberia towards meeting the conditions established by the Security Council for lifting the measures imposed by resolution 1521 (2003),

Noting the completion of demobilization and disarmament, respect for the ceasefire, and implementation of the Comprehensive Peace Agreement, but emphasizing that significant challenges remain in completing the reintegration, repatriation and restructuring of the security sector, as well as establishing and maintaining stability in Liberia and the subregion,

Noting with concern that, despite having initiated important reforms, the National Transitional Government of Liberia has made only limited progress towards establishing its full authority and control over the timber-producing areas and towards ensuring that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development,

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[205] S/2004/752.

[206] S/2004/955.

[207] See S/2003/850.

Welcoming the start of preparations by the National Transitional Government of Liberia to establish an effective certificate-of-origin regime for trade in rough diamonds that is transparent and internationally verifiable, looking forward to the visit by representatives of the Kimberley Process[208] to Liberia in early 2005, encouraging the Government to continue its preparations in that regard, and urging States to increase their support for its efforts,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, on the basis of its assessments above of progress made by the National Transitional Government of Liberia towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003):

(*a*) To renew the measures on arms and travel imposed by paragraphs 2 and 4 of resolution 1521 (2003) for a further period of twelve months from the date of adoption of the present resolution, and to review them after six months;

(*b*) To renew the measures on timber imposed by paragraph 10 of resolution 1521 (2003) for a further period of twelve months from the date of adoption of the present resolution, and to review them after six months;

(*c*) To renew the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) for a further period of six months from the date of adoption of the present resolution, but to review them after three months in the light of the visit by representatives of the Kimberley Process and the preliminary report of the Panel of Experts on Liberia, requested in paragraph 8 (*f*) below, with a view to lifting the measures as soon as possible, when the Council concludes that the National Transitional Government has established an effective certificate-of-origin regime for trade in rough diamonds that is transparent and internationally verifiable;

2. *Reiterates* the Council's readiness to terminate these measures once the conditions referred to in paragraph 1 above have been met;

3. *Encourages* the National Transitional Government of Liberia to intensify its efforts to meet these conditions, in particular by implementing the Liberia Forest Initiative and the necessary reforms in the Forestry Development Authority, and urges all members of the National Transitional Government to commit themselves to this end for the benefit of the Liberian people;

4. *Notes* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force to prevent former President Charles Taylor, his immediate family members, senior officials of the former Taylor regime, or other close allies or associates from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the subregion, and reconfirms its intention to review these measures at least once a year;

5. *Reiterates its call upon* the international donor community to continue to provide assistance to the peace process, including for reintegration and reconstruction, to contribute generously to consolidated humanitarian appeals, to disburse as soon as possible the pledges made at the International Reconstruction Conference on Liberia, held in New York on 5 and 6 February 2004, and to respond to the immediate financial, administrative and technical needs of the National Transitional Government of Liberia, in particular to assist the Government to meet the conditions referred to in paragraph 1 above, so that the measures can be lifted as soon as possible;

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[208] See A/57/489, annex 2.

6. *Restates its demand* that all States refrain from any action that might contribute to further destabilization of the situation in the subregion, and further demands that all West African States take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries;

7. *Reminds* all States of their obligation to implement all the measures under resolutions 1521 (2003) and 1532 (2004), and particularly urges the National Transitional Government of Liberia to implement without delay its obligations under paragraph 1 of resolution 1532 (2004) to freeze the assets of all persons designated by the Security Council Committee established pursuant to paragraph 21 of resolution 1521 (2003) (hereinafter "the Committee");

8. *Decides* to re-establish the Panel of Experts appointed pursuant to resolution 1549 (2004) for a further period until 21 June 2005 to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the implementation, and any violations, of the measures referred to in paragraph 1 above, including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(*b*) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004);

(*c*) To assess the progress made towards meeting the conditions referred to in paragraph 1 above;

(*d*) To assess the humanitarian and socio-economic impact of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003);

(*e*) To report to the Council, through the Committee, by 7 June 2005 on all the issues listed in the present paragraph;

(*f*) To provide a preliminary report to the Council, through the Committee, by 21 March 2005 on progress made towards meeting the conditions for lifting the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003);

9. *Requests* the Secretary-General, acting in consultation with the Committee, to appoint as soon as possible no more than five experts, with the appropriate range of expertise, in particular on arms, timber, diamonds, finance, humanitarian and socio-economic and any other relevant issues, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1549 (2004), and further requests the Secretary-General to make the necessary financial and security arrangements to support the work of the Panel;

10. *Calls upon* the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d'Ivoire to continue assisting the Committee and the Panel of Experts in accordance with paragraph 23 of resolution 1521 (2003);

11. *Calls upon* all States and the National Transitional Government of Liberia to cooperate fully with the Panel of Experts;

12. *Requests* the Secretary-General to submit a report to the Council by 7 June 2005, drawing on information from all relevant sources, including the National Transitional Government of Liberia, the United Nations Mission in Liberia and the Economic Community of West African States, on progress made towards meeting the conditions mentioned in paragraph 1 above;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 5105th meeting.

Decisions

On 11 January 2005, the President of the Security Council addressed the following letter to the Secretary-General:[209]

"I have the honour to inform you that your letter dated 6 January 2005 concerning your intention to appoint Lieutenant General Joseph Olorungbon Owonibi, of Nigeria, as Force Commander of the United Nations Mission in Liberia[210] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5208th meeting, on 21 June 2005, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 13 June 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2005/360)
>
> "Report of the Secretary-General pursuant to Security Council resolution 1579 (2004) regarding Liberia (S/2005/376)".

Resolution 1607 (2005)
of 21 June 2005

The Security Council,

Recalling its previous resolutions and statements by its President on the situation in Liberia and West Africa,

Taking note of the reports of the Panel of Experts on Liberia of 17 March[211] and 13 June 2005,[212] and the report of the Secretary-General of 7 June 2005,[213] submitted pursuant to resolution 1579 (2004) of 17 June 2004,

Recognizing the linkage between the illegal exploitation of natural resources such as diamonds and timber, the illicit trade in such resources, and the proliferation and trafficking of arms and the recruitment and use of mercenaries as one of the sources of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

Recalling that the measures imposed under resolution 1521 (2003) of 22 December 2003 were designed to prevent such illegal exploitation from fuelling a resumption of the conflict in Liberia, as well as to support the implementation of the Comprehensive Peace Agreement signed at Accra on 18 August 2003[207] and the extension of the authority, throughout Liberia, of the National Transitional Government of Liberia,

Expressing its concern that, while the deployment of the United Nations Mission in Liberia has contributed to the improvement of security throughout Liberia, the National Transitional Government of Liberia has not yet established its authority throughout Liberia,

Emphasizing the need for the international community to help the National Transitional Government of Liberia to increase its capacity to establish its authority throughout Liberia, particularly to establish its control over the diamond-producing and timber-producing areas and Liberia's borders,

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[209] S/2005/19.

[210] S/2005/18.

[211] S/2005/176.

[212] S/2005/360.

[213] S/2005/376.

Expressing deep concern at information that former President of Liberia Charles Taylor and others still closely associated with him continue to engage in activities that undermine peace and stability in Liberia and the region,

Having reviewed the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) of 12 March 2004 and the progress made towards meeting the conditions set forth in paragraphs 5, 7 and 11 of resolution 1521 (2003),

Welcoming the assessment of the Panel of Experts that there is no evidence of illegal timber being exported from Liberia, but noting with concern that few of the reforms in the National Transitional Government of Liberia road map necessary to meet the conditions set forth in paragraph 11 of resolution 1521 (2003) for lifting the measures on timber imposed by paragraph 10 of resolution 1521 (2003) have been implemented,

Acknowledging the recent completion of the Forest Concession Review, and welcoming the report of the Forest Concession Review Committee,

Welcoming the progress made by the National Transitional Government of Liberia in the training of diamond mining officials, but noting with serious concern the increase in unlicensed mining and illegal exports of diamonds and the agreement to, and lack of transparency in, granting exclusive mining rights to a single company by the National Transitional Government,

Noting with concern the limited progress made by the National Transitional Government of Liberia towards establishing transparent financial management systems that will help ensure that government revenues are not used to fuel conflict or otherwise used in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development,

Taking note of the ongoing discussions regarding a Liberia Economic Governance Action Plan, designed to ensure prompt implementation of the Comprehensive Peace Agreement and to expedite the lifting of measures imposed by resolution 1521 (2003), and expressing its intention to consider, as appropriate, the Action Plan,

Emphasizing that, despite completion of demobilization and disarmament, significant challenges remain in completing the reintegration and repatriation of ex-combatants and the restructuring of the security sector, as well as establishing and maintaining stability in Liberia and the subregion,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, on the basis of its assessments above of progress made by the National Transitional Government of Liberia towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003), to renew the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) for a further period of six months from the date of adoption of the present resolution;

2. *Urges* the National Transitional Government of Liberia to intensify its efforts, with the support of the United Nations Mission in Liberia, to establish its authority over the diamond-producing areas and to work towards establishing an official certificate-of-origin regime for trade in rough diamonds that is transparent and internationally verifiable, with a view to joining the Kimberley Process;[208]

3. *Reiterates* the Council's readiness to terminate all measures imposed by resolution 1521 (2003) once the conditions set forth in paragraphs 5, 7 and 11 of that resolution have been met;

4. *Calls upon* the National Transitional Government of Liberia urgently to intensify its efforts to reform the Forestry Development Authority, to implement the Liberia Forest Initiative

and to implement the recommendations of the Forest Concession Review Committee for reform, which will ensure transparency, accountability and sustainable forest management and contribute towards the lifting of the measures on timber set forth in paragraph 10 of resolution 1521 (2003);

5. *Invites* the National Transitional Government of Liberia to consider, with the assistance of international partners and for a specific time period, the possibility of commissioning independent external advice on the management of Liberia's diamond and timber resources, in order to increase investor confidence and attract additional donor support;

6. *Notes* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force to prevent former President of Liberia Charles Taylor, his immediate family members, senior officials of the former Taylor regime, or other close allies or associates from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the subregion, and reconfirms its intention to review these measures at least once a year;

7. *Reiterates its intention* to consider whether and how to make available to the Government of Liberia the funds, other financial assets and economic resources frozen pursuant to paragraph 1 of resolution 1532 (2004), once that Government has established transparent accounting and auditing mechanisms to ensure the responsible use of government revenue to benefit directly the people of Liberia;

8. *Emphasizes its concern* that the National Transitional Government of Liberia has taken no action to implement its obligations under paragraph 1 of resolution 1532 (2004), and calls upon the Government to take such action immediately, particularly by adopting the necessary domestic legislation, with technical support provided by Member States;

9. *Notes* that the measures on arms, travel and timber imposed by paragraphs 2, 4 and 10 respectively of resolution 1521 (2003) and renewed by paragraph 1 of resolution 1579 (2004) remain in force until 21 December 2005;

10. *Urges* the Mission to intensify its efforts, as mandated in resolution 1509 (2003) of 19 September 2003, to assist the National Transitional Government of Liberia in re-establishing its authority throughout Liberia, including diamond-producing and timber-producing areas, and restoring proper administration of natural resources;

11. *Reiterates* the importance of the Mission to continue to provide assistance to the National Transitional Government of Liberia, the Security Council Committee established pursuant to paragraph 21 of resolution 1521 (2003) (hereinafter "the Committee") and the Panel of Experts, within its capabilities and areas of deployment and without prejudice to its mandate, in the following areas:

(*a*) Monitoring the implementation of the measures in paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) in accordance with paragraph 23 of that resolution;

(*b*) Supporting efforts by the National Transitional Government to prevent violations of those measures, and reporting any such violations;

(*c*) Collecting, as appropriate, arms and any related materiel brought into Liberia in violation of the measures taken by States to implement paragraph 2 of resolution 1521 (2003), and disposing of such arms and related materiel as appropriate;

(*d*) Assisting the National Transitional Government in monitoring the recruitment and movement of ex-combatants, and reporting any relevant information to the Panel of Experts and the Committee, in order to reduce the opportunity for ex-combatants to undermine the peace process or provoke renewed instability in Liberia and the subregion;

(*e*) Developing a strategy, in conjunction with the Economic Community of West African States and other international partners, to consolidate a national legal framework as mandated in resolution 1509 (2003), including the implementation by the National Transitional Government of the measures in paragraph 1 of resolution 1532 (2004);

12. *Calls upon* the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d'Ivoire to intensify their cooperation, within their capabilities and areas of deployment and without prejudice to their mandates, to monitor arms trafficking and recruitment of mercenaries within the subregion;

13. *Reiterates its call upon* the international donor community to continue to provide assistance to the peace process, including for reintegration of ex-combatants and reconstruction, to contribute generously to consolidated humanitarian appeals, to disburse as soon as possible the pledges made at the International Reconstruction Conference on Liberia, held in New York on 5 and 6 February 2004, and to respond to the financial, administrative and technical needs of the National Transitional Government of Liberia, in particular to assist the Government to meet the conditions referred to in paragraph 3 above, so that the measures can be lifted as soon as possible;

14. *Decides* to re-establish the Panel of Experts appointed pursuant to resolution 1579 (2004) for a further period until 21 December 2005 to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the implementation, and any violations, of the measures imposed by resolution 1521 (2003), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(*b*) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004);

(*c*) To assess the progress made towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003);

(*d*) To assess the humanitarian and socio-economic impact of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003);

(*e*) To report to the Council by 7 December 2005, through the Committee, on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before that date, especially on progress made towards meeting the conditions for lifting the measures imposed by paragraphs 6 and 10 of resolution 1521 (2003);

(*f*) To cooperate with other relevant groups of experts, in particular the group of experts on Côte d'Ivoire established pursuant to resolution 1584 (2005) of 1 February 2005;

15. *Requests* the Secretary-General, acting in consultation with the Committee, to appoint as soon as possible no more than five experts, with the appropriate range of expertise, in particular on arms, timber, diamonds, finance, humanitarian and socio-economic and any other relevant issues, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1579 (2004), and further requests the Secretary-General to make the necessary financial and security arrangements to support the work of the Panel;

16. *Calls upon* all States and the National Transitional Government of Liberia to cooperate fully with the Panel of Experts;

17. *Decides* to remain seized of the matter.

Adopted unanimously at the 5208th meeting

Decision

On 18 July 2005, the President of the Security Council addressed the following letter to the Secretary-General:[214]

> "I have the honour to inform you that your letter dated 13 July 2005, concerning your intention to appoint Mr. Alan Doss, of the United Kingdom of Great Britain and Northern Ireland as your Special Representative for Liberia as from 15 August 2005,[215] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

THE SITUATION IN SIERRA LEONE[216]

Decision

At its 5037th meeting, on 17 September 2004, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Twenty-third report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2004/724)"

Resolution 1562 (2004)
of 17 September 2004

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Commending the efforts of the Economic Community of West African States towards building peace in the subregion, and encouraging the Mano River Union member States to continue their dialogue aimed at building regional peace and security,

Encouraging the United Nations missions in the region to continue their efforts towards developing inter-mission cooperation, especially in the prevention of movements of arms and combatants across borders and in the implementation of disarmament, demobilization and reintegration programmes,

Having considered the report of the Secretary-General of 9 September 2004,[217]

Welcoming the further progress made towards the benchmarks for drawdown of the United Nations Mission in Sierra Leone, and commending the Mission for the progress made to date in the adjustments to its size, composition and deployment,

Underlining the importance of additional efforts to strengthen the capacity of the Sierra Leone police and armed forces to maintain security and stability effectively,

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[214] S/2005/463.

[215] S/2005/464.

[216] Resolutions or decisions on this question have been adopted by the Security Council every year since 1995.

[217] S/2004/724.

Underlining also the importance of increasingly close collaboration between the Mission and the United Nations country team in Sierra Leone, to ensure a smooth transition after the final departure of the Mission,

Expressing its appreciation for the essential work of the Special Court for Sierra Leone, noting its vital contribution to the establishment of the rule of law in Sierra Leone, and encouraging all States to cooperate fully with the Court,

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone shall be extended until 30 June 2005;

2. *Decides also* that the tasks of the residual Mission presence, which shall remain in Sierra Leone for an initial period of six months from 1 January 2005, as set out in paragraph 5 of resolution 1537 (2004) of 30 March 2004, shall be the following:

Military and civilian police tasks

To monitor, in conjunction with district and provincial security committees, the overall security situation, to support the Sierra Leone armed forces and police in patrolling the border and diamond-mining areas, including through joint planning and joint operations where appropriate, and to monitor the growing capacity of the Sierra Leone security sector;

To support the Sierra Leone police in maintaining internal security, including security for the Special Court for Sierra Leone while the Mission remains deployed in Sierra Leone;

To assist the Sierra Leone police with its programme of recruitment, training and mentoring designed to strengthen further the capacity and resources of the police;

To protect United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations personnel, within its capabilities and its areas of deployment;

Civilian tasks

To monitor the repatriation, reception, resettlement and reintegration of Sierra Leonean ex-combatants from abroad;

To monitor, investigate, report and promote the observance of human rights;

To disseminate information on the mandate and purpose of the mission and publicize the Government's primary responsibility for national security, including through United Nations radio;

To monitor progress towards consolidation of State authority throughout the country;

3. *Authorizes* the residual Mission presence to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

4. *Expresses its intention* to review regularly the residual Mission presence against the following benchmarks:

Strengthening the capacity of the Sierra Leone armed forces and police to maintain security and stability effectively throughout the country;

Consolidating State authority throughout the country;

- Consolidating the deployment of the United Nations Mission in Liberia throughout Liberia;

5. *Welcomes* the Secretary-General's assurance, as set out in paragraph 91 of his report of 19 March 2004,[218] that where military observers, civil affairs officers, political affairs officers, human rights officers and civilian police personnel are co-deployed, they will function as integrated units and work in close collaboration with the United Nations country team;

6. *Urges* the Government of Sierra Leone to intensify its efforts to develop an effective and sustainable police force, armed forces, penal system and independent judiciary, so that the Government can take over from the United Nations Mission in Sierra Leone as soon as possible full responsibility for maintaining law and order throughout Sierra Leone, including in the sensitive diamond-producing areas, and encourages donors and the Mission, in accordance with its mandate, to continue to assist the Government in this regard, as well as to assist the Government in restoring public services throughout the country;

7. *Welcomes* the Secretary-General's intention to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report regularly to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5037th meeting.

Decisions

At its 5185th meeting, on 24 May 2005, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Judge Emmanuel Ayoola, President of the Special Court for Sierra Leone.

At its 5186th meeting, held in private on 24 May 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5186th meeting, held in private on 24 May 2005, the Security Council considered the item entitled 'The situation in Sierra Leone'.
>
> "In accordance with the decision taken at the 5185th meeting, the President extended an invitation under rule 39 of the Council's provisional rules of procedure to Judge Emmanuel Ayoola, President of the Special Court for Sierra Leone.
>
> "The members of the Council and Judge Ayoola had a constructive discussion."

At its 5219th meeting, on 30 June 2005, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Twenty-fifth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2005/273 and Add.1)".

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[218] S/2004/228.

Resolution 1610 (2005)
of 30 June 2005

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Emphasizing the importance of the continued support of the United Nations and the international community for the long-term security and development of Sierra Leone,

Having considered the report of the Secretary-General of 26 April 2005,[illegible] and noting with approval his observations in paragraph 65 on the drawdown schedule of the United Nations Mission in Sierra Leone and in paragraphs 63 and 64 on the need for a strong United Nations system presence in Sierra Leone after the withdrawal of the Mission,

Commending the work of the Truth and Reconciliation Commission, and encouraging the Government of Sierra Leone to disseminate widely the Commission's report and the Government's response to it,

Expressing its appreciation for the essential work of the Special Court for Sierra Leone, noting its vital contribution to the establishment of the rule of law in Sierra Leone, and in this regard underlining the importance of ensuring that all those indicted by the Court appear before it, in order to strengthen the stability of Sierra Leone and the subregion and to bring an end to impunity, and encouraging all States to cooperate fully with the Court,

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone shall be extended for a final period of six months until 31 December 2005;

2. *Requests* the Secretary-General to finalize the necessary planning for an appropriate integrated United Nations system presence in Sierra Leone, as recommended in paragraphs 63 and 64 of his report,[illegible] with the capacity and expertise to coordinate the activities of the United Nations agencies, funds and programmes, to cooperate with the donor community, and to continue to support the efforts of the Government of Sierra Leone at peace consolidation and long-term development, after the Mission has withdrawn;

3. *Encourages* the Mission and the United Nations country team in Sierra Leone to continue their close collaboration to ensure a seamless transition from peacekeeping to peacebuilding, including through the implementation of their joint transition plan;

4. *Recalls* that the Sierra Leone security forces shall effectively assume full responsibility for security in the country after the withdrawal of the Mission;

5. *Underlines* the importance of providing effective security for the Special Court for Sierra Leone after the Mission has withdrawn, and requests the Secretary-General to make recommendations thereon to the Security Council as soon as possible;

6. *Urges* the Government of Sierra Leone to continue its efforts to develop an effective, affordable and sustainable police force, armed forces, penal system and independent judiciary, and further to promote good governance and strengthen mechanisms to tackle corruption, and

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[illegible] S/2005/273.

encourages donors and the Mission, in accordance with its mandate, to assist the Government in this regard, as well as in restoring public services throughout the country;

7. *Encourages* the United Nations missions in the region to continue their efforts towards enhancing inter-mission cooperation, especially in the prevention of movements of arms and combatants across borders and in the implementation of disarmament, demobilization and reintegration programmes;

8. *Welcomes* the efforts undertaken by the Mission to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure that such acts are properly investigated and punished in cases involving their personnel;

9. *Welcomes* the Secretary-General's intention to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report regularly to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5219th meeting.

CIVILIAN ASPECTS OF CONFLICT MANAGEMENT AND PEACEBUILDING

Decisions

At its 5041st meeting, held at the ministerial level on 22 September 2004, the Security Council considered the item entitled:

"Civilian aspects of conflict management and peace-building

"Letter dated 8 September 2004 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General (S/2004/722)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Commissioner for Peace and Security of the African Union, Mr. Javier Solana, High Representative for the European Union's Common Foreign and Security Policy, and Mr. Amre Moussa, Secretary-General of the League of Arab States.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[illegible]

"The Security Council met at the ministerial level on 22 September 2004 to consider 'Civilian aspects of conflict management and peacebuilding'. Ministers recognized the increasing importance of civilian aspects of conflict management in addressing complex crisis situations and in preventing the recurrence of conflict. They affirmed the importance of conflict resolution in accordance with the relevant provisions of the Charter of the United Nations.

[illegible] S/PRST/2004/33.

"Ministers also acknowledged the importance of civilian-military cooperation in crisis management. Military and police components are essential to address and stabilize certain serious crisis situations and to guarantee security. Moreover, the participation of a strong civilian component is key to the provision of humanitarian assistance, the re-establishment of public order, functioning public institutions, reconstruction, rehabilitation and peacebuilding for longer-term sustainable development. A substantial civilian participation in crisis management is also essential for a strategy of military disengagement and plays a crucial role in the phase of post-conflict peacebuilding. In this context, it is important that there is coordination between the civilian and military components in crisis management from the first phase of integrated mission planning. In addition, there should be significant coordination with actors involved in longer-term reconstruction and development, including in particular the other organs of the United Nations system in accordance with their respective mandates and the international financial institutions, as well as cooperation with the business sector.

"Ministers recognized the increasing role of some regional and sub-regional and other international organizations in crisis management. They also recalled that Articles 52 and 53 of the Charter set forth the contribution of regional organizations to conflict management, as well as the relationship between the United Nations and regional organizations. They encouraged these organizations, whenever possible, to continue to develop their crisis management capabilities, including in the civilian field, in close coordination with the United Nations and in accordance with the provisions of Article 54 of the Charter. When applicable, clear schemes for joint operations should be developed. Also, greater coordination and interoperability among those organizations, as well as developing and sharing common strategies, operational policies and best practices in civilian crisis management, would enhance efficiency and coherence in crisis management. Continued internal coordination in this field among all relevant United Nations organs and agencies should also be strengthened.

"Ministers supported the efforts by Member States to continue to develop, as appropriate, their own civilian crisis management capabilities, including, inter alia, rapid civilian response teams, and they also supported their initiatives to make these capabilities available to the United Nations and other relevant regional or sub-regional organizations, as a contribution to their efforts in the maintenance of international peace and security. Adequate capabilities should be developed in key areas of civilian crisis management, such as police, justice and the rule of law, preparation of electoral processes and electoral observation, civil protection and public administration. The Council should consider the nature and availability of these capabilities when approving the necessary mandates for United Nations operations.

"Adequate and flexible means for transitional peace support and crisis management activities, such as protection of civilians, including United Nations and humanitarian personnel, disarmament, demobilization and reintegration of former combatants, the end of impunity, public institution-building and transitional justice, as well as the promotion and protection of human rights and the integration of a gender perspective, are essential to ensure lasting peace after a conflict. Also, the involvement of local actors in the policy-making process and a fruitful relationship with civil society should be among the priorities of any post-conflict strategy.

"The Council commends the efforts of the Secretary-General in addressing all relevant issues relating to the civilian aspects of crisis management, and invites him, other institutions and agencies of the United Nations system, regional and sub-regional organizations and Member States to continue to give serious consideration to this matter, with a view to making further progress in this field."

THE SITUATION IN AFRICA[221]

Decisions

At its 5043rd meeting, on 24 September 2004, the Security Council decided to invite the President of the Federal Republic of Nigeria and current Chairman of the African Union to participate, without vote, in the discussion of the item entitled:

"The situation in Africa

"Briefing by the President of Nigeria and current Chairman of the African Union".

At the same meeting, on behalf of the Security Council, the President extended a warm welcome to the President of Namibia, Mr. Sam Nujoma.

On 22 December 2004, the President of the Security Council addressed the following letter to the Secretary-General:[222]

> "I have the honour to inform you that your letter dated 22 December 2004, in which you informed me of your decision to extend the appointment of your Special Adviser on Africa, Mr. Mohamed Sahnoun, until 31 December 2005,[223] has been brought to the attention of the members of the Security Council. They have taken note of your decision and the information contained in the letter."

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[224]

Decision

At its 5048th meeting, on 1 October 2004, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Third special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2004/650)

"Letter dated 3 September 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/715)".

Resolution 1565 (2004)
of 1 October 2004

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all the States of the region,

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[221] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997

[222] S/2004/1029

[224] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

Reaffirming its support for the process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, welcoming the efforts made to date for its implementation by the Government of National Unity and Transition, and calling upon all the Congolese parties to honour their commitments in this regard, in particular so that free, fair and peaceful elections can take place within the agreed time frame,

Deeply concerned by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, and by the grave violations of human rights and of international humanitarian law that accompany them,

Recalling that all the parties bear responsibility for ensuring security with respect to the civilian populations, and recalling in particular, in this regard, its resolutions 1325 (2000) of 31 October 2000 on women and peace and security, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004 on children in armed conflict, and 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

Taking note of the third special report of the Secretary-General of 16 August 2004 on the United Nations Organization Mission in the Democratic Republic of the Congo,[225] and of the recommendations contained therein,

Taking note also of the letter dated 3 September 2004 from the Secretary-General to the President of the Security Council,[226]

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo until 31 March 2005;

2. *Requests* the Secretary-General to arrange the rapid deployment of additional military capabilities for the Mission in accordance with the recommendation contained in his letter dated 3 September 2004,[226] and, beyond, to deploy as soon as possible in the provinces of North and South Kivu all the brigades and appropriate force enablers;

3. *Authorizes* the increase in the Mission's strength by 5,900 personnel, including up to 341 civilian police personnel, as well as the deployment of appropriate civilian personnel, appropriate and proportionate air mobility assets and other force enablers, and expresses its determination to keep the Mission's strength and structure under regular review, taking into account the evolution of the situation on the ground;

4. *Decides* that the Mission will have the following mandate:

(*a*) To deploy and maintain a presence in the key areas of potential volatility in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring the use of force to threaten the political process, and to allow United Nations personnel to operate freely, particularly in the eastern part of the Democratic Republic of the Congo;

(*b*) To ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence;

(*c*) To ensure the protection of United Nations personnel, facilities, installations and equipment;

[226] S/2004/715.

(*d*) To ensure the security and freedom of movement of its personnel;

(*e*) To establish the necessary operational links with the United Nations Operation in Burundi, and with the Governments of the Democratic Republic of the Congo and Burundi, in order to coordinate efforts towards monitoring and discouraging cross-border movements of combatants between the two countries;

(*f*) To monitor the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003) of 28 July 2003, including on the lakes, in cooperation with the Operation and, as appropriate, with the Governments concerned and with the Group of Experts referred to in paragraph 10 of resolution 1533 (2004) of 12 March 2004, including by inspecting, as it deems it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North and South Kivu and in Ituri;

(*g*) To seize or collect, as appropriate, arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violates the measures imposed by paragraph 20 of resolution 1493 (2003), and to dispose of such arms and related materiel as appropriate;

(*h*) To observe and report, in a timely manner, on the position of armed movements and groups and the presence of foreign military forces in the key areas of volatility, especially by monitoring the use of landing strips and the borders, in particular on the lakes;

5. *Decides* that the Mission will also have the following mandate, in support of the Government of National Unity and Transition:

(*a*) To contribute to arrangements made for the security of the institutions and the protection of officials of the transition in Kinshasa until the integrated police unit in Kinshasa is ready to take on this responsibility, and to assist the Congolese authorities in the maintenance of order in other strategic areas, as recommended in paragraph 103 (*c*) of the third special report of the Secretary-General;[224]

(*b*) To contribute to the improvement of the security conditions in which humanitarian assistance is provided, and to assist in the voluntary return of refugees and internally displaced persons;

(*c*) To support operations to disarm foreign combatants led by the armed forces of the Democratic Republic of the Congo, including by undertaking the steps listed in paragraphs 75 (*b*) to (*e*) of the third special report of the Secretary-General;

(*d*) To facilitate the demobilization and voluntary repatriation of disarmed foreign combatants and their dependants;

(*e*) To contribute to the disarmament portion of the national programme of disarmament, demobilization and reintegration of Congolese combatants and their dependants, in monitoring the process and providing, as appropriate, security in some sensitive locations;

(*f*) To contribute to the successful completion of the electoral process stipulated in the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, by assisting in the establishment of a secure environment for free, transparent and peaceful elections to take place;

(*g*) To assist in the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, to investigate human rights violations to put an end to impunity, and to continue to cooperate with efforts to ensure that those responsible for serious violations of human rights and international humanitarian law are brought to justice, while working closely with the relevant United Nations agencies;

6. *Authorizes* the Mission to use all necessary means, within its capacity and in the areas where its armed units are deployed, to carry out the tasks listed in paragraph 4 (*a*) to (*g*) above,

7. *Decides* that the Mission will also have the mandate, within its capacity and without prejudice to carrying out tasks stipulated in paragraphs 4 and 5 above, to provide advice and assistance to the Transitional Government and authorities, in accordance with the commitments of the Global and All-Inclusive Agreement, including by supporting the three joint commissions outlined in paragraph 62 of the third special report of the Secretary-General, in order to contribute to their efforts, with a view to take forward:

(*a*) Essential legislation, including the future constitution;

(*b*) Security sector reform, including the integration of national defence and internal security forces together with disarmament, demobilization and reintegration and, in particular, the training and monitoring of the police, while ensuring that they are democratic and fully respect human rights and fundamental freedoms;

(*c*) The electoral process;

8. *Requests* the Secretary-General to report to the Council, within one month of the adoption of the present resolution, on reforms necessary to improve the structures of command and control and the management of military information within the Mission, and to rationalize the civilian and police components of the Mission;

9. *Also requests* the Secretary-General, through his Special Representative for the Democratic Republic of the Congo, to coordinate all the activities of the United Nations system in the Democratic Republic of the Congo;

10. *Further requests* the Secretary-General to ensure that his Special Representatives for the Democratic Republic of the Congo and for Burundi coordinate the activities of the Mission and the Operation, in particular:

(*a*) By sharing military information at their disposal, especially concerning cross-border movements of armed elements and arms trafficking;

(*b*) By pooling their logistic and administrative resources, to an extent that does not prejudice the ability of the missions to carry out their respective mandates, in order to ensure their maximum efficiency and cost-effectiveness;

(*c*) By coordinating, as appropriate, the implementation of the national programmes for disarmament and demobilization and repatriation, reintegration and resettlement;

11. *Stresses* the need for the Government of National Unity and Transition to carry out the process provided for by the Global and All-Inclusive Agreement, and in particular to implement the recommendations listed in paragraph 54 of the third special report of the Secretary-General, including by producing, with the support of the Mission, precise plans and time lines in each of the fields identified;

12. *Calls upon* the Government of National Unity and Transition to cooperate closely with the Mission in establishing three joint commissions on essential legislation, security sector reform and elections, and in implementing security sector reform, in accordance with paragraph 7 above;

13. *Urges* the Government of National Unity and Transition to continue, with determination and rapidity, the integration of the security forces, in particular the integration of the armed forces, and underlines the importance of regular meetings of the Supreme Defence Council and of its cooperation with the international partners of the Democratic Republic of the Congo, especially with the Mission, as positive signals of the commitment of the Government of National Unity and Transition in this regard;

14. *Also urges* the Government of National Unity and Transition to develop without further delay a plan for the disarmament of foreign combatants, and to entrust its implementation to the armed forces of the Democratic Republic of the Congo, with the support of the Mission;

realize without further delay the complete normalization of their bilateral relations, and to cooperate actively in assuring security along their common borders, in particular by implementing agreements they have signed for the establishment of joint verification mechanisms with the active participation of the Mission, and exhorts them to comply in this regard with the recommendations listed in paragraph 55 of the third special report of the Secretary-General;

16. *Urges*, in particular, the Governments of the Democratic Republic of the Congo and Rwanda to work together and with the Mission and the African Union, with a view to removing the threat posed by foreign armed groups, as they have agreed to in the Peace Agreement signed in Pretoria on 30 July 2002[227] and the Declaration signed in Pretoria on 27 November 2003, and in accordance with the terms of reference for the Joint Verification Mechanism signed in New York on 22 September 2004;

17. *Calls upon* the Government of National Unity and Transition and Congolese officials at all levels to take all necessary steps, while respecting freedom of expression and of the press, to prevent the use of the media to incite hatred or tensions among communities;

18. *Calls upon* Member States, the international organizations concerned and the community of donors to provide their full support to the transitional process, the extension of State authority throughout the territory and long-term social and economic development in the Democratic Republic of the Congo, and encourages them in this regard to respond positively to the recommendations listed in paragraph 57 of the third special report of the Secretary-General;

19. *Strongly condemns* violence and other violations of international humanitarian law and human rights, in particular those perpetrated against civilians, in the Democratic Republic of the Congo, and demands that all parties and Governments concerned in the region, including the Government of National Unity and Transition, take without delay all necessary steps to bring to justice those responsible for these violations and to ensure respect for human rights and international humanitarian law, as appropriate with relevant international assistance, as well as to guarantee the security and well-being of the civilian population;

20. *Demands* that all parties cooperate fully with the operations of the Mission and that they ensure the safety of as well as unhindered and immediate access for United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, demands in particular that all parties provide full access to Mission military observers, including in all ports, airports, airfields, military bases and border crossings, and requests the Secretary-General to report without delay any failure to comply with these demands;

21. *Recalls* its resolution 1502 (2003) of 26 August 2003, reaffirms the obligation of all parties to comply fully with the rules and principles of international humanitarian law applicable to them related to the protection of humanitarian and United Nations personnel, and urges all those concerned to allow immediate, full and unimpeded access by humanitarian personnel to all people in need of assistance, as set forth in applicable international humanitarian law;

22. *Also recalls* the link between the illicit exploitation and trade of natural resources in certain regions and the fuelling of armed conflicts, and, in line with its resolutions 1493 (2003), 1533 (2004) and 1552 (2004) of 27 July 2004, condemns categorically the illegal exploitation of the natural resources and other sources of wealth of the Democratic Republic of the Congo, urges all States, especially those in the region including the Democratic Republic of the Congo itself, to take appropriate steps in order to end these illegal activities, including if necessary through judicial means, and to report to the Council as appropriate, and exhorts the international financial institutions to assist the Government of National Unity and Transition in establishing efficient and transparent control of the exploitation of natural resources;

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[227] S/2002/914, annex.

23. *Welcomes* the convening of the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region, with inclusive participation by all the Governments concerned, under the aegis of the African Union and the United Nations, with a view to strengthening stability in the region and working out conditions that will enable each State to enjoy the right to live in peace;

24. *Encourages* all Member States to increase international political engagement in the peace process in the region, as requested in paragraph 57 of the third special report of the Secretary-General;

25. *Expresses grave concern* at the allegations of sexual exploitation and misconduct by civilian and military personnel of the Mission, requests the Secretary-General to continue to fully investigate these allegations, to take the appropriate action in accordance with the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse[228] and to keep the Council informed, further encourages the Mission to conduct training for personnel targeted to ensure full compliance with its code of conduct regarding sexual misconduct, and urges troop-contributing countries to take appropriate disciplinary and other action to ensure full accountability in cases of such misconduct involving their personnel;

26. *Requests* the Secretary-General to keep it informed regularly of developments in the situation in the Democratic Republic of the Congo, and to submit to the Council before 28 February 2005 a report on the execution of the Mission's mandate, including an evaluation of the structure and strength of its military, civilian and police components, with a view to their adjustment according to the progress made on the ground and the tasks remaining to be accomplished;

27. *Reiterates its strong support* for the Special Representative of the Secretary-General and the Mission, and for the efforts they continue to make to assist the parties in the Democratic Republic of the Congo and in the region to advance the peace process;

28. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5048th meeting.

Decisions

In a letter dated 8 November 2004, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Central Africa from 20 to 25 November 2004.[229]

At its 5095th meeting, on 7 December 2004, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[230]

> "The Security Council expresses its very deep concern at multiple reports of military operations by the Rwandan army in the eastern part of the Democratic Republic of the Congo and at threats by the Government of Rwanda in this regard. It recalls its adherence to the respect for the sovereignty of all States, and underlines the fact that the threat or use of force against the territorial integrity of any State is contrary to the purposes and principles stated in the Charter of the United Nations.

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[228] ST/SGB/2003/13.

[229] The letter, which was issued as a Security Council document under the symbol S/2004/891, has been reproduced on page 72 of the present volume.

"The Council strongly condemns any and all such military action, recalling that they are contrary to its resolutions, and in particular to resolution 1565 (2004), by which it urged the Governments of the Democratic Republic of the Congo, Burundi, Rwanda and Uganda to each ensure that the territory of its country was not used to infringe the sovereignty of the others.

"The Council demands that the Government of Rwanda withdraw without delay any forces it may have in the territory of the Democratic Republic of the Congo, and calls upon all States in the region to refrain from any action or statement that contravenes international law, undermines the already fragile stability in the region or the transitional process supported by the international community.

"The Council notes that these reported events and threats are contrary to all peace agreements, declarations and protocols signed by regional States since the 1998 commencement of hostilities in the Democratic Republic of the Congo. It underlines the fact that these events and threats, arising after the International Conference on the Great Lakes Region, are contrary to the commitments taken by the regional Heads of State, in the Declaration adopted in Dar es Salaam on 20 November 2004, to settle their disputes in a peaceful manner, and are all the more unacceptable.

"The Council calls upon all Governments in the region, to commit themselves to and make full use of multilateral mechanisms they have agreed to establish, including the Joint Verification Mechanism and the Tripartite Commission, for the peaceful resolution of their disputes. It further calls upon the Government of Rwanda, as well as all Governments in the region, to devote their resources to the promotion of peace, stability, democracy and development.

"The Council urges all Member States fully to comply with their obligations under resolution 1493 (2003), which imposed an arms embargo in the district of Ituri and the provinces of North and South Kivu.

"The Council recognizes that continued tension in the eastern part of the Democratic Republic of the Congo undermines peace and security in the region, and in particular that the presence of ex-Forces armées rwandaises and Interahamwe elements in the eastern Democratic Republic of the Congo is a source of instability, a threat to civilian populations and an impediment to good neighbourly relations between the Democratic Republic of the Congo and Rwanda. It considers the armed presence and activities of ex-Forces armées rwandaises and Interahamwe elements in the eastern part of the Democratic Republic of the Congo to be unacceptable and demands that they disarm and disband without delay, with a view to their repatriation or resettlement.

"In this regard, the Council welcomes steps taken to set up the plan established by the Congolese authorities, with the support of the United Nations Organization Mission in the Democratic Republic of the Congo, aimed at accelerating the disarmament and demobilization of foreign armed groups. It calls upon the Governments of Rwanda and the Democratic Republic of the Congo to explore ways to facilitate the voluntary repatriation of these combatants, based on the existing mechanisms. It urges the Congolese authorities to do everything possible to effectively disarm these armed groups as a matter of urgency, in the interest of stability in the Democratic Republic of the Congo, the security of Rwanda and Burundi, and the establishment of peace and stability in the region.

"The Council further calls upon, in this regard, the Congolese authorities to accelerate the integration of the armed forces of the Democratic Republic of the Congo, and encourages the donor community to provide coordinated financial and technical assistance to this important task.

> "The Council condemns any attempt aimed at undermining the unity and territorial integrity of the Democratic Republic of the Congo.
>
> "The Council expresses its intention to consider further actions, including measures that may be taken against those individuals who, by their actions or statements, compromise the peace and transition process in the Democratic Republic of the Congo."

At its 5133rd meeting, on 2 March 2005, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[231]

> "The Security Council condemns with the utmost firmness the attack against a patrol of the United Nations Mission in the Democratic Republic of the Congo by the Front des Nationalistes et Intégrationnistes in Ituri, which occurred on 25 February 2005 near the town of Kafé, resulting in the murder of nine Bangladeshi peacekeepers. It offers its condolences to the victims' families and to the authorities of Bangladesh. It commends the dedication of the Mission's personnel, who operate in particularly hazardous conditions. It welcomes the action of the Mission against the militia groups responsible for these killings and the Mission's continued robust action in pursuit of its mandate.
>
> "The Council considers this aggression, by its intentional and well-planned nature, to be an unacceptable outrage. It calls upon the Government of National Unity and Transition immediately to take all necessary measures to bring to justice the perpetrators, sponsors and authors of this attack, and welcomes the first arrests undertaken by the Government. It endorses in this regard the serious concern expressed in Kinshasa on 28 February 2005 by the International Committee for Support to the Transition over the illegal and criminal activities of militia in Ituri and their military and political leaders, in particular Floribert Ndjabu, Goda Sukpa, Étienne Lona, Thomas Lubanga, Bosco Tanganda and Germain Katanga. It expresses its concern that the integration of Ituri militia officers into the Congolese armed forces has failed to lead to the disarmament of their troops which should proceed without delay.
>
> "The Council calls upon the Government of National Unity and Transition to strengthen its support for the implementation of the disarmament and community reintegration programme for Ituri militiamen. It considers those who try to impede this programme as a threat to the political process in the Democratic Republic of the Congo. It also calls upon the Government of National Unity and Transition urgently to deploy additional integrated troops and police units to Ituri, and invites donors to provide support for this vital undertaking.
>
> "The Council reminds all States in the region of their responsibility to ensure compliance for the arms embargo imposed by resolution 1493 (2003) and is considering additional measures it might take to reinforce implementation and monitoring of the embargo. It further urges those States to ensure that their territories cannot be used by any Congolese armed group, notably the Ituri militia, whose activities perpetuate a climate of insecurity that affects the whole region.
>
> "The Council reaffirms its full support for the Mission, and urges it to continue to fulfil its mandate with determination. It notes the importance for the Mission to continue to strengthen its action in Ituri and in North and South Kivu."

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[231] S/PRST/2005/10.

On 4 March 2005, the President of the Security Council addressed the following letter to the Secretary-General:[232]

> "I have the honour to inform you that your letter dated 4 March 2005 concerning your intention to appoint Lieutenant General Babacar Gaye, of Senegal, as Force Commander of the United Nations Organization Mission in the Democratic Republic of the Congo,[233] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5155th meeting, on 30 March 2005, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Seventeenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2005/167)".

Resolution 1592 (2005)
of 30 March 2005

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolution 1565 (2004) of 1 October 2004, and the statement of 2 March 2005,[231]

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as of all States in the region, and its support for the process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, and calling upon all the Congolese parties to honour their commitments in this regard, in particular so that free, fair and peaceful elections can take place,

Reiterating its serious concern regarding the continuation of hostilities by armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, and by the grave violations of human rights and of international humanitarian law that accompany them, calling upon the Government of National Unity and Transition to bring the perpetrators to justice without delay, and recognizing that the continuing presence of ex-Forces armées rwandaises and Interahamwe elements remains a threat for the local civilian population and an impediment to good-neighbourly relations between the Democratic Republic of the Congo and Rwanda,

Welcoming, in this regard, the African Union's support for efforts to further peace in the eastern part of the Democratic Republic of the Congo, and calling upon the African Union to work closely with the United Nations Organization Mission in the Democratic Republic of the Congo in defining its role in the region,

Recalling its condemnation of the attack by one of these militias against members of the Mission on 25 February 2005, and welcoming the first steps taken to date to bring them to justice, in particular the arrests of militia leaders suspected of bearing responsibility for human rights abuses,

Reiterating its call upon the Congolese parties, when selecting individuals for key posts in the Government of National Unity and Transition, including the armed forces and national police, to take into account the record and commitment of those individuals with regard to respect for international humanitarian law and human rights,

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[232] S/2005/152.

[233] S/2005/151.

Recalling that all the parties bear responsibility for ensuring security with respect to civilian populations, in particular women, children and other vulnerable persons, and expressing concern at the continuing levels of sexual violence,

Reaffirming its full support for the Mission and for its personnel, who operate in particularly hazardous conditions, and welcoming the robust action it is undertaking in pursuit of its mandate,

Bearing in mind the third special report of the Secretary-General of 16 August 2004 on the Mission[illegible] and its recommendations, and aware of the importance of keeping under review the situation in the Katanga and Kasai provinces,

Recalling the link between the illicit exploitation and trade of natural resources in certain regions and the fuelling of armed conflicts, condemning categorically the illegal exploitation of natural resources and other sources of wealth of the Democratic Republic of the Congo, and urging all States, especially those in the region including the Democratic Republic of the Congo itself, to take appropriate steps in order to end these illegal activities,

Taking note of the seventeenth report of the Secretary-General of 15 March 2005 on the Mission,[234] and looking forward to the special report on the electoral process announced by the Secretary-General in paragraph 34 of his seventeenth report,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo, as contained in resolution 1565 (2004), until 1 October 2005, with the intention to renew it for further periods;

2. *Reaffirms its demand* that all parties cooperate fully with the operations of the Mission and that they ensure the safety of, as well as unhindered and immediate access for, United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, and in particular that all parties provide full access to Mission military observers, including to all ports, airports, airfields, military bases and border crossings, and requests the Secretary-General to report without delay any failure to comply with these demands;

3. *Urges* the Government of National Unity and Transition to do its utmost to ensure the security of civilians, including humanitarian personnel, by effectively extending State authority throughout the territory of the Democratic Republic of the Congo, and in particular in North and South Kivu and in Ituri;

4. *Calls upon* the Government of National Unity and Transition to carry out the reform of the security sector, through the expeditious integration of the armed forces and of the national police of the Democratic Republic of the Congo and in particular by ensuring adequate payment and logistical support for their personnel, and stresses the need in this regard to implement without delay the national disarmament, demobilization and reintegration programme for Congolese combatants;

5. *Also calls upon* the Government of National Unity and Transition to develop with the Mission a joint concept of operations for the disarmament of foreign combatants by the armed forces of the Democratic Republic of the Congo, with the assistance of the Mission, within its mandate and capabilities;

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[234] S/2005/167.

6. *Calls upon* the donor community, as a matter of urgency, to continue to engage firmly in the provision of assistance needed for the integration, training and equipping of the armed forces and of the national police of the Democratic Republic of the Congo, and urges the Government of National Unity and Transition to promote all possible means to facilitate and to expedite cooperation to this end;

7. *Emphasizing* that the Mission is authorized to use all necessary means, within its capabilities and in the areas where its armed units are deployed, to deter any attempt at the use of force to threaten the political process, and to ensure the protection of civilians under imminent threat of physical violence, from any armed group, foreign or Congolese, in particular the ex-Forces armées rwandaises and Interahamwe, encourages the Mission in this regard to continue to make full use of its mandate under resolution 1565 (2004) in the eastern part of the Democratic Republic of the Congo, and stresses that, in accordance with its mandate, the Mission may use cordon and search tactics to prevent attacks on civilians and to disrupt the military capability of illegal armed groups that continue to use violence in those areas;

8. *Calls upon* all the parties to the transition in the Democratic Republic of the Congo to make concrete progress towards the holding of elections, as provided for by the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, in particular in furthering the early adoption of the constitution and of the electoral law, as well as the registration of voters;

9. *Demands* that the Governments of Uganda, Rwanda, as well as the Democratic Republic of the Congo put a stop to the use of their respective territories in support of violations of the arms embargo imposed by resolution 1493 (2003) of 28 July 2003 or of activities of armed groups operating in the region;

10. *Urges* all States neighbouring the Democratic Republic of the Congo to impede any kind of support to the illegal exploitation of Congolese natural resources, particularly by preventing the flow of such resources through their respective territories;

11. *Reaffirms its concern* regarding acts of sexual exploitation and abuse committed by United Nations personnel against the local population, and requests the Secretary-General to ensure compliance with the zero tolerance policy he has defined and with the measures put in place to prevent and investigate all forms of misconduct, discipline those found responsible and provide support to the victims, and to pursue active training and awareness-raising of all Mission personnel, and further requests the Secretary-General to keep the Council regularly informed of the measures implemented and their effectiveness;

12. *Urges* troop-contributing countries carefully to review the letter dated 24 March 2005 from the Secretary-General to the President of the Security Council[235] and to take appropriate action to prevent sexual exploitation and abuse by their personnel in the Mission, including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such misconduct involving their personnel;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5155th meeting.

Decisions

At its 5162nd meeting, on 12 April 2005, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

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[235] A/59/710.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[229]

> "The Security Council welcomes the statement issued by the Forces démocratiques de libération du Rwanda in Rome, on 31 March 2005, in which they condemn the 1994 genocide and commit themselves to renounce the use of force and cease all offensive operations against Rwanda. It considers this encouraging statement as a significant opportunity to move towards the return of peace in the Democratic Republic of the Congo, national reconciliation in Rwanda, and full normalization of relations between the two countries. It commends the role of independent mediator played by the Sant'Egidio community.
>
> "The Council calls upon the Forces démocratiques de libération du Rwanda to turn their positive words into action and to demonstrate their commitment to peace by immediately handing all their arms to the United Nations Organization Mission in the Democratic Republic of the Congo and by taking part in the programme put in place for their earliest voluntary and peaceful return to Rwanda or resettlement, as well as by assisting the International Criminal Tribunal for Rwanda in Arusha to fulfil its mandate, particularly with regard to the arrest and transfer to its custody of indictees who remain at large.
>
> "The Council encourages all other armed groups in the Democratic Republic of the Congo that have not yet done so to renounce likewise the use of force and to take part without delay in the programmes of disarmament, demobilization and reintegration.
>
> "The Council urges the Governments of the Democratic Republic of the Congo and Rwanda to work together, in close cooperation with the Mission, to make use of the chance given to them to contribute to peace and stability in the whole Great Lakes region of Africa.
>
> "The Council welcomes the commitment of the Government of Rwanda to receive former combatants, and urges the Government of Rwanda to guarantee the return and reintegration of members of the Forces démocratiques de libération du Rwanda and their dependents to be repatriated, in accordance with applicable standards of international law and with respect for the rights and freedoms of the human being.
>
> "The Council recalls the need for an effective programme of reintegration to be quickly implemented with the support, as appropriate, of the international community."

At its 5163rd meeting, on 18 April 2005, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Letter dated 25 January 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2005/30)".

Resolution 1596 (2005)
of 18 April 2005

The Security Council,

Recalling its resolutions concerning the Democratic Republic of the Congo, in particular resolutions 1493 (2003) of 28 July 2003, 1533 (2004) of 12 March 2004, 1552 (2004) of 27 July 2004, 1565 (2004) of 1 October 2004 and 1592 (2005) of 30 March 2005, and recalling also the statements by its President concerning the Democratic Republic of the Congo, in particular the statement of 7 December 2004,[230]

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[229] S/PRST/2005/15.

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, which perpetuate a climate of insecurity in the whole region,

Welcoming the fact that some of these groups and militias have started to submit an inventory of arms and related materiel in their possession, as well as their location, with a view to their participation in the programmes of disarmament, and encouraging those who have not yet done so rapidly to do so,

Expressing its readiness to review the provisions of its resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995 and 1011 (1995) of 16 August 1995 in a broader perspective, taking into account the implications of continued instability in the eastern part of the Democratic Republic of the Congo for peace and security in the Great Lakes region of Africa,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to continue closely monitoring implementation of the arms embargo imposed by resolution 1493 (2003),

Recalling the importance for the Government of National Unity and Transition to implement without delay the integration for which it bears responsibility of the armed forces of the Democratic Republic of the Congo by continuing to work within the framework of the Joint Commission on Security Sector Reform, and encouraging the donor community to provide coordinated financial and technical assistance for this task,

Commending the efforts made by the Secretary-General, the African Union and other actors concerned to restore peace and security in the Democratic Republic of the Congo, and welcoming in this regard the Declaration adopted in Dar es Salaam on 20 November 2004 at the conclusion of the first summit of the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region,

Taking note of the reports of the Group of Experts established by paragraph 10 of resolution 1533 (2004), of 15 July 2004[237] and 25 January 2005,[238] transmitted by the Security Council Committee established in accordance with paragraph 8 of the same resolution (hereinafter "the Committee"), and of their recommendations,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the measures established by paragraph 20 of resolution 1493 (2003) and extended until 31 July 2005 by resolution 1552 (2004), decides that these measures shall from now on apply to any recipient in the territory of the Democratic Republic of the Congo, and reiterates that assistance includes financing and financial assistance related to military activities;

2. *Decides* that the measures above shall not apply to:

(*a*) Supplies of arms and related materiel or technical training and assistance intended solely for support of or use by units of the army and police of the Democratic Republic of the Congo, provided that the said units:

- Have completed the process of their integration; or
- Operate under the command, respectively, of the état-major intégré of the armed forces or of the national police of the Democratic Republic of the Congo; or

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[237] S/2004/551.

[238] S/2005/30.

– Are in the process of their integration, in the territory of the Democratic Republic of the Congo outside the provinces of North and South Kivu and the Ituri district;

(*b*) Supplies of arms and related materiel as well as technical training and assistance intended solely for support of or use by the United Nations Organization Mission in the Democratic Republic of the Congo;

(*c*) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as notified in advance to the Committee in accordance with paragraph 8 (*e*) of resolution 1533 (2004);

3. *Requests* the Mission, within its existing capabilities and without prejudice to the performance of its current mandate, and the Group of Experts referred to in paragraph 21 below to continue to focus their monitoring activities in North and South Kivu and in Ituri;

4. *Decides* that all future authorized shipments of arms and related materiel consistent with such exemptions noted in paragraph 2 (*a*) above shall only be made to receiving sites as designated by the Government of National Unity and Transition, in coordination with the Mission, and notified in advance to the Committee;

5. *Demands* that all parties other than those referred to in paragraph 2 (*a*) above with military capabilities in Ituri, in North Kivu or in South Kivu, help the Government of National Unity and Transition implement its commitments regarding disarmament, demobilization and reintegration of foreign and Congolese combatants, and regarding security sector reform;

6. *Decides* that, during the period of enforcement of the measures referred to in paragraph 1 above, all Governments in the region, and in particular those of the Democratic Republic of the Congo and of States bordering Ituri and the Kivus, shall take the necessary measures:

(*a*) To ensure that aircraft operate in the region in accordance with the Convention on International Civil Aviation, signed in Chicago on 7 December 1944, in particular by verifying the validity of documents carried in aircraft and the licences of pilots;

(*b*) To prohibit immediately in their respective territories operation of any aircraft inconsistent with the conditions in that Convention or the standards established by the International Civil Aviation Organization, in particular with respect to the use of falsified or out-of-date documents, and to notify the Committee, and to maintain such prohibition until the Committee is informed by States or by the Group of Experts that these aircraft meet the said conditions and standards set forth in chapter V of the Chicago Convention and determines that they will not be used for a purpose inconsistent with the resolutions of the Security Council;

(*c*) To ensure that all civilian and military airports or airfields on their respective territories will not be used for a purpose inconsistent with the measures imposed by paragraph 1 above;

7. *Also decides* that each Government in the region, in particular those of States bordering Ituri and the Kivus, as well as that of the Democratic Republic of the Congo, shall maintain a registry for review by the Committee and the Group of Experts of all information concerning flights originating in their respective territories en route to destinations in the Democratic Republic of the Congo, as well as flights originating in the Democratic Republic of the Congo en route to destinations in their respective territories;

8. *Calls upon* the Government of National Unity and Transition to strengthen the monitoring of the activity of all airports and airfields, in particular those located in Ituri and in the Kivus, to ensure in particular that only customs airports are used for international air service, and requests the Mission, in airports and airfields where it has a permanent presence, to cooperate within its existing capability with the competent Congolese authorities, with a view to enhancing the capability of those authorities to monitor and control the use of airports;

9. *Recommends*, in this context, to States in the region, and in particular to those parties to the Declaration adopted in Dar es Salaam on 20 November 2004, to promote regional cooperation in the field of air traffic control;

10. *Decides* that, during the period of enforcement of the measures referred to in paragraph 1 above, the Government of the Democratic Republic of the Congo on the one hand, and those of States bordering Ituri and the Kivus on the other hand, shall take the necessary measures:

(*a*) To strengthen, as far as each of them is concerned, customs controls on the borders between Ituri or the Kivus and the neighbouring States;

(*b*) To ensure that all means of transport on their respective territories will not be used in violation of the measures taken by Member States in accordance with paragraph 1 above, and to notify the Mission of such actions;

and requests the Mission and the United Nations Operation in Burundi, in accordance with their respective mandates, to provide assistance to this end, where they have a permanent presence, to the competent customs authorities of the Democratic Republic of the Congo and of Burundi;

11. *Reiterates its call upon* the international community, in particular the specialized international organizations concerned, notably the International Civil Aviation Organization and the World Customs Organization, to provide financial and technical assistance to the Government of National Unity and Transition, with a view to helping it exercise effective control over its borders and its airspace, and invites in this regard the International Monetary Fund and the World Bank to provide assistance with a view to evaluating and improving the performance and enhancing the capacity of the Customs of the Democratic Republic of the Congo;

12. *Urges* all States to conduct inquiries into the activities of their nationals who operate or are associated with the operation of aircraft or other means of transport such as those referred to in paragraphs 6 and 10 above used for the transfer of arms or related materiel in violation of the measures imposed by paragraph 1 above, and if necessary to institute the appropriate legal proceedings against them;

13. *Decides* that, during the period of enforcement of the measures referred to in paragraph 1 above, all States shall take the necessary measures to prevent the entry into or transit through their territories of all persons designated by the Committee as acting in violation of the measures taken by Member States in accordance with paragraph 1 above, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

14. *Decides also* that the measures imposed by the previous paragraph shall not apply where the Committee determines in advance and on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would further the objectives of the Council's resolutions, that is peace and national reconciliation in the Democratic Republic of the Congo and stability in the region;

15. *Decides further* that all States shall, during the period of enforcement of the measures referred to in paragraph 1 above, immediately freeze the funds, other financial assets and economic resources which are on their territories from the date of adoption of the present resolution, which are owned or controlled, directly or indirectly, by persons designated by the Committee pursuant to paragraph 13 above, or that are held by entities owned or controlled, directly or indirectly, by any persons acting on their behalf or at their direction, as designated by the Committee, and decides further that all States shall ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories, to or for the benefit of such persons or entities;

16. *Decides* that the provisions of the previous paragraph do not apply to funds, other financial assets and economic resources that:

(*a*) Have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within four working days of such notification;

(*b*) Have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(*c*) Have been determined by relevant States to be the subject of a judicial, administrative or arbitration lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee pursuant to paragraph 15 above, and has been notified by the relevant States to the Committee;

17. *Decides also* that, no later than 31 July 2005, it shall review the measures set forth in paragraphs 1, 6, 10, 13 and 15 above, in the light of progress made in the peace and transition process in the Democratic Republic of the Congo, in particular with regard to the integration of the armed forces and of the national police;

18. *Decides further* that the Committee shall undertake, in addition to the tasks listed in paragraph 8 of resolution 1533 (2004), the following tasks:

(*a*) To designate persons and entities with respect to the measures set forth in paragraphs 6, 10, 13 and 15 above, including aircraft and airlines, and regularly to update its list;

(*b*) To seek from all States concerned, and particularly those in the region, information regarding the actions taken by them to enforce the measures imposed by paragraphs 1, 6, 10, 13 and 15 above, and any further information it may consider useful, including by providing all States with an opportunity to send representatives to meet the Committee to discuss in more detail any relevant issues;

(*c*) To call upon all States concerned, and particularly those in the region, to provide the Committee with information regarding the actions taken by them to investigate and prosecute, as appropriate, individuals designated by the Committee, pursuant to subparagraph (*a*) above;

(*d*) To consider and decide on requests for the exemptions set out in paragraphs 14 and 16 above;

(*e*) To promulgate guidelines as may be necessary to facilitate the implementation of paragraphs 6, 10, 13 and 15 above;

19. *Demands* that all parties and all States cooperate fully with the work of the Group of Experts referred to in paragraph 21 below and of the Mission, and that they ensure:

(*a*) The safety of their members;

(*b*) Unhindered and immediate access for the members of the Group of Experts, in particular by supplying them with any information on possible violations of the measures taken by Member States in accordance with paragraphs 1, 6, 10, 13 and 15 above, and by facilitating access of the Group of Experts to persons, documents and sites it deems relevant to the execution of its mandate;

20. *Requests* all States concerned, in particular those in the region, to report to the Committee, within forty-five days from the date of adoption of the present resolution, on the actions they have taken to implement the measures imposed by paragraphs 6, 10, 13 and 15 above, and authorizes the Committee thereafter to request from all Member States any information it may consider necessary to fulfil its mandate;

21. *Requests* the Secretary-General, in consultation with the Committee, to re-establish, within thirty days from the date of adoption of the present resolution and for a period expiring on 31 July 2005, the Group of Experts referred to in paragraph 10 of resolution 1533 (2004) with the addition of a fifth expert for financial issues, and requests further that the Secretary-General provide the Group of Experts with the necessary resources to fulfil its mandate;

22. *Requests* the Group of Experts to report to the Council in writing before 1 July 2005, through the Committee, inter alia on the implementation of the measures set forth in paragraphs 1, 6, 10, 13 and 15 above;

23. *Decides* to remain seized of the matter.

Adopted unanimously at the 5163rd meeting.

Decisions

At its 5218th meeting, on 29 June 2005, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Special report of the Secretary-General on elections in the Democratic Republic of the Congo (S/2005/320)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[239]

> "The Security Council takes note of the joint decision reached by the two Houses of Parliament of the Democratic Republic of the Congo on 17 June 2005 to extend for a period of six months, renewable once, the transitional period that was to expire on 30 June 2005, in accordance with the provisions of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, and with article 196 of the transitional Constitution.
>
> "The Council calls upon all Congolese parties to respect this decision, which aims to allow the elections provided for by the Agreement to take place in satisfactory logistic and security conditions. It encourages the Congolese people to mobilize for and conduct the electoral process in a peaceful manner, and urges, in particular, candidates and political parties to refrain from any action that might disrupt the process. It takes note, in this regard, of the recommendation contained in the special report of the Secretary-General of 26 May 2005 on elections in the Democratic Republic of the Congo[240] that all political parties should sign and commit themselves to respect the agreed code of conduct for the electoral process. The Council urges all parties and transitional institutions to make every effort to respect scrupulously the timetable for polls developed by the Independent Electoral Commission, and in particular to begin preparations for the referendum on the draft Constitution as soon as possible.
>
> "The Council welcomes the progress made so far in the preparation of the elections, in particular the adoption and promulgation of the referendum law, and the start of voter

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[239] S/PRST/2005/27.

[240] S/2005/320.

registration in Kinshasa, which marks an historic and important step in the electoral process in the Democratic Republic of the Congo. The Council calls upon the transitional authorities to accelerate those reforms remaining to be carried out, in particular drafting of the electoral law and integration of the security forces.

"The Council underlines the importance of elections as the foundation for the longer term restoration of peace and stability, national reconciliation, and establishment of the rule of law in the Democratic Republic of the Congo. It calls upon the Congolese authorities to exercise efficient, transparent and comprehensive control over State finances, ensuring that there is no impunity for those responsible for acts of embezzlement or corruption. In this regard, the Council encourages the Congolese authorities to continue consultations with their international partners, in full respect for the sovereignty of the Democratic Republic of the Congo, and to put in place credible arrangements to strengthen support for good governance and transparent economic management."

At its 5226th meeting, on 13 July 2005, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[241]

"The Security Council condemns with the utmost firmness the massacre of some 50 people, most of them women and children, which occurred on 9 July 2005 in Ntulu-Mamba, in the Democratic Republic of the Congo.

"The Council requests the Special Representative of the Secretary-General for the Democratic Republic of the Congo to establish the facts and report to the Council as quickly as possible.

"The Council calls upon the Congolese authorities to prosecute and bring to justice expeditiously the perpetrators and those responsible for these crimes, and requests the United Nations Organization Mission in the Democratic Republic of the Congo to provide all necessary support. The Council encourages the Congolese authorities to continue their efforts to ensure the protection of civilians and respect for human rights within their territory.

"The Council stresses the need to bring to an end, particularly in the Kivus and Ituri, attacks by armed groups on local populations, which not only cause further suffering to civilians but also threaten the stability of the entire region, as well as the holding of elections in the Democratic Republic of the Congo. The Council demands that the Force démocratique de libération du Rwanda abide by the commitment made in Rome, on 31 March 2005, renounce the use of force and settle without delay the issue of the return to Rwanda of their combatants.

"The Council reaffirms its full support for the Mission. It welcomes the robust actions the Mission is undertaking in pursuit of its mandate, and the assistance it provides to the armed forces of the Democratic Republic of the Congo in reinforcing the safety of the population."

At its 5243rd meeting, on 29 July 2005, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Letter dated 26 July 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2005/436)".

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[241] S/PRST/2005/31.

Resolution 1616 (2005)
of 29 July 2005

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1493 (2003) of 28 July 2003, 1533 (2004) of 12 March 2004, 1552 (2004) of 27 July 2004, 1565 (2004) of 1 October 2004, 1592 (2005) of 30 March 2005 and 1596 (2005) of 18 April 2005,

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North Kivu and South Kivu and in the Ituri district, which perpetuate a climate of insecurity in the whole region,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to closely monitor compliance with the arms embargo imposed by resolution 1493 (2003) and expanded by resolution 1596 (2005), and to enforce the measures provided for in paragraphs 13 and 15 of resolution 1596 (2005) against persons and entities acting in violation of the embargo,

Recognizing the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Taking note of the report of the Group of Experts referred to in paragraph 10 of resolution 1533 (2004) and paragraph 21 of resolution 1596 (2005) (hereinafter "the Group of Experts"), of 5 July 2005,[242] transmitted by the Security Council Committee established in accordance with paragraph 8 of resolution 1533 (2004) (hereinafter "the Committee"),

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the demands of paragraphs 15, 18 and 19 of resolution 1493 (2003) and of paragraphs 5 and 19 of resolution 1596 (2005);

2. *Decides*, in light of the failure by the parties to comply with the demands of the Council, to renew until 31 July 2006 the provisions of paragraphs 20 to 22 of resolution 1493 (2003), as amended and expanded by paragraph 1 of resolution 1596 (2005), and reaffirms paragraphs 2, 6, 10 and 13 to 16 of resolution 1596 (2005);

3. *Expresses its intention* to modify or to remove those provisions if it determines that the demands noted above have been satisfied;

4. *Requests* the Secretary-General, in consultation with the Committee, to re-establish the Group of Experts within thirty days from the date of adoption of the present resolution and for a period expiring on 31 January 2006, drawing, as appropriate, on the expertise of the members of the Group of Experts established pursuant to resolution 1596 (2005);

5. *Requests* the Group of Experts to continue fulfilling its mandate as defined in resolutions 1533 (2004) and 1596 (2005), to update the Committee on its work by 10 November 2005, and to report to the Council in writing before 10 January 2006, through the Committee, inter alia on the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003) and expanded by resolution 1596 (2005), with recommendations in this regard, in particular concerning the lists provided for by paragraph 10 (*g*) of resolution 1533 (2004), and including

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[242] S/2005/436.

information on the sources of financing, such as from natural resources, which are funding the illicit trade in arms;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5243rd meeting.

JUSTICE AND THE RULE OF LAW: THE UNITED NATIONS ROLE[243]

Decisions

At its 5052nd meeting, on 6 October 2004, the Security Council decided to invite the representatives of Argentina, Australia, Austria, Belarus, Burundi, Canada, Costa Rica, Fiji, Finland, India, Indonesia, Japan, Jordan, Liechtenstein, Mexico, the Netherlands, Nigeria, Peru, the Republic of Korea, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Africa, Sweden, Switzerland and Uganda to participate, without vote, in the discussion of the item entitled:

"Justice and the rule of law: the United Nations role

> "Report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies (S/2004/616)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Juan Méndez, Special Adviser to the Secretary-General on the Prevention of Genocide and Director of the International Centre for Transitional Justice.

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 1 October 2004 to the President of the Security Council,[244] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

Upon resumption of the meeting, on 6 October 2004, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mark Malloch Brown, Administrator of the United Nations Development Programme.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[245]

> "The Security Council thanks the Secretary-General for his report of 3 August 2004, which was reissued on 23 August 2004,[246] and reaffirms the vital importance that the Council attaches to promoting justice and the rule of law, and post-conflict national reconciliation. The Council will consider, as appropriate in its deliberations, the recommendations set out in paragraph 64 of the report.
>
> "The Council urges the Secretariat to make proposals for the implementation of the recommendations set out in paragraph 65 of the report, and draws attention in particular to the importance of the practical measures set out in that paragraph that can be implemented rapidly, including coordinating existing expertise and resources, setting up databases and web-based resources, developing rosters of experts and organizing workshops and training

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[243] Resolutions or decisions on this question were also adopted by the Security Council in 2003.

[244] S/2004/793.

[245] S/PRST/2004/34.

[246] S/2004/616.

programmes. The Council urges Member States that are interested in doing so to contribute national expertise and materials to these developments, within their means, and to improve their capacities in these areas.

"The Council recalls the important statement made by the Secretary-General to the fifty-ninth session of the General Assembly on 21 September 2004, and endorses his view that 'it is by reintroducing the rule of law, and confidence in its impartial application, that we can hope to resuscitate societies shattered by conflict'. The Council stresses the importance and urgency of the restoration of justice and the rule of law in post-conflict societies, not only in order to come to terms with past abuses, but also to promote national reconciliation and to help prevent a return to conflict in the future. The Council emphasizes that such processes must be inclusive, gender-sensitive and open to the full participation of women.

"The Council underlines the importance of assessing the particular justice and rule of law needs in each host country, taking into consideration the nature of the country's legal system, traditions and institutions, and of avoiding a 'one size fits all' approach. The Council recognizes that building national capacities and independent national institutions is essential, that local ownership and leadership in that process should be encouraged and respected, and that international structures can play a complementary and supportive role.

"The Council emphasizes that ending the climate of impunity is essential to the efforts of a conflict and post-conflict society to come to terms with past abuses and in preventing future abuses. The Council draws attention to the full range of mechanisms of transitional justice that should be considered, including national, international and 'mixed' criminal tribunals and truth and reconciliation commissions, and underlines the fact that those mechanisms should concentrate not only on individual responsibility for serious crimes, but also on the need to seek peace, truth and national reconciliation. The Council welcomes the report's balanced appraisal of the lessons to be learned from the experience of the ad hoc international criminal tribunals and 'mixed' tribunals.

"The Council recalls that justice and the rule of law at the international level are of key importance for promoting and maintaining peace, stability and development in the world. The Council underlines also the importance of helping to prevent future conflicts through addressing their root causes in a legitimate and fair manner.

"The Council warmly welcomes the Secretary-General's decision to make the United Nations work to strengthen the rule of law and transitional justice in conflict and post-conflict societies a priority for the remainder of his tenure. The Council invites the Secretary-General to keep it informed of the Secretariat's progress in taking forward the recommendations set out in paragraph 65 of the report, and expresses the intention to consider this matter again within six months."

THE SITUATION IN CYPRUS[247]

Decision

At its 5061st meeting, on 22 October 2004, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2004/756)".

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[247] Resolutions or decisions on this question have been adopted by the Security Council every year since 1963.

Resolution 1568 (2004)
of 22 October 2004

The Security Council,

Welcoming the report of the Secretary-General of 24 September 2004 on the United Nations operation in Cyprus,[248]

Reiterating its call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness, and welcoming in this regard the resumption of the activities of the Committee on Missing Persons since August 2004,

Welcoming the Secretary-General's review of the United Nations Peacekeeping Force in Cyprus, pursuant to resolution 1548 (2004) of 11 June 2004,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island it is necessary to keep the Force beyond 15 December 2004,

Taking note of the assessment of the Secretary-General that the security situation on the island has become increasingly benign over the last few years and that a recurrence of fighting in Cyprus is increasingly unlikely,

Welcoming the Secretary-General's intention to conduct a further review on the mandate, force levels and concept of operation of the Force in advance of the next renewal of its mandate, continuing to take into account developments on the ground and the views of the parties,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Endorses* the recommendations of the Secretary-General for the amendment of the concept of operations and force level of the United Nations Peacekeeping Force in Cyprus, as outlined in his report of 24 September 2004;[248]

3. *Decides* to extend the mandate of the Force for a further period ending 15 June 2005;

4. *Urges* the Turkish Cypriot side and Turkish forces to rescind without delay all remaining restrictions on the Force, and calls upon them to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

5. *Requests* the Secretary-General to submit a report on the implementation of the present resolution concurrent with the review provided for above;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5061st meeting.

Decision

At its 5202nd meeting, on 15 June 2005, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2005/353)".

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[248] S/2004/756.

Resolution 1604 (2005)
of 15 June 2005

The Security Council,

Welcoming the report of the Secretary-General of 27 May 2005 on the United Nations operation in Cyprus,[249]

Reiterating its call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness, and welcoming in this regard the resumption of the activities of the Committee on Missing Persons since August 2004,

Welcoming the Secretary-General's review of the United Nations Peacekeeping Force in Cyprus, pursuant to resolution 1568 (2004) of 22 October 2004,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island it is necessary to keep the Force beyond 15 June 2005,

Taking note of the assessment of the Secretary-General that the security situation on the island continues to be stable and that the situation along the Green Line remains calm, and, nonetheless, that there were problems in a few sensitive areas, and welcoming in this context the further decrease in the overall number of incidents involving the two sides,

Welcoming the Secretary-General's intention to keep the operations of the Force under close review, continuing to take into account developments on the ground and the views of the parties, and to revert to the Council with recommendations for further adjustments as appropriate to the mandate, force levels and concept of operation of the Force once he judges that sufficient time has passed since the implementation of its new concept of operations to make this assessment,

Taking note with satisfaction of the lifting of restrictions of movement of the Force by the Turkish Cypriot side and the Turkish forces, and taking note in this connection that the Force enjoys good cooperation from both sides,

Welcoming the fact that over seven million crossings by Greek Cypriots to the north and Turkish Cypriots to the south have taken place, and encouraging the opening of additional crossing points,

Expressing concern at the increase in crime across the ceasefire line, and urging both sides to increase cooperation in order to address this issue,

Welcoming all efforts to promote bicommunal contacts and events, including on the part of the United Nations, and urging the two sides to promote further bicommunal contacts and to remove any obstacles to such contacts,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending 15 December 2005;

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[249] S/2005/353.

3. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

4. *Requests* the Secretary-General to submit a report by 1 December 2005 on the implementation of the present resolution;

5. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5202nd meeting.

Decisions

At its 5211th meeting, on 22 June 2005, the Security Council considered the item entitled "The situation in Cyprus".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

CROSS-BORDER ISSUES IN WEST AFRICA[250]

Decisions

On 25 October 2004, the President of the Security Council addressed the following letter to the Secretary-General:[251]

> "I have the honour to inform you that your letter of 4 October 2004 concerning the United Nations Office for West Africa[252] has been brought to the attention of the members of the Security Council.
>
> "The members of the Council concur with your recommendation to extend the mandate of the Office for three years from 1 January 2005 to 31 December 2007, subject to a mid-term review in July 2006. The members of the Council also take note of your intention to strengthen the Office to enable it to perform its mandate more effectively and would be grateful for more information in this regard, as requested below. In this regard, the members of the Council encourage you to explore actively, in addition to resources available from within the United Nations, the possibility of direct contributions from Member States.
>
> "Since the activities of the Office have increased substantially in the past year, and since you intend to strengthen it as a result, the members of the Council would be grateful to receive a copy of the intended mandate and functions of the Office for the next three-year period."

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[250] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2004.

[251] S/2004/858.

[252] S/2004/797.

On 11 January 2005, the President of the Security Council addressed the following letter to the Secretary-General:[253]

> "I have the honour to inform you that your letter dated 14 December 2004 concerning the intended mandate, functions and activities of the United Nations Office for West Africa[254] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5131st meeting, on 25 February 2005, the Security Council decided to invite the representatives of Burkina Faso, Côte d'Ivoire, Guinea, Luxembourg, Mali, Niger, Nigeria and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"Cross-border issues in West Africa

> "Progress report of the Secretary-General on ways to combat subregional and cross-border problems in West Africa (S/2005/86)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for West Africa and the Head of the United Nations Office for West Africa, and Mr. Ibrahima Diouf, Special Adviser on Child Protection to the Executive-Secretary of the Economic Community of West African States.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[255]

> "The Security Council has carefully reviewed the progress report of the Secretary-General of 11 February 2005 on the implementation of the recommendations of the Council on cross-border and subregional problems in West Africa,[256] and reaffirms the statement by its President of 25 March 2004.[257]
>
> "The Council notes with appreciation the enhanced cooperation among the various United Nations political and peacekeeping missions in the subregion and looks forward to receiving the forthcoming report of the Secretary-General on inter-mission cooperation. The Council also welcomes the growing and constructive partnership between the United Nations system, the Economic Community of West African States, individual Member States, key bilateral and multilateral development partners, as well as civil society organizations, including women's organizations, aimed at addressing the many complex challenges confronting the West African subregion.
>
> "The Council reiterates its belief that action on cross-border and subregional issues should take place as part of a wider strategy of conflict prevention, crisis management and peacebuilding in the subregion. The Council thus also encourages the United Nations Office for West Africa further to promote an integrated and joint subregional approach with the Economic Community of West African States and the African Union, as well as with other key international partners and civil society organizations.
>
> "The Council welcomes the encouraging prospects for the reactivation of the Mano River Union and the resumption of dialogue among its member States, notably on ways to deal with mercenaries. It also welcomes initiatives taken by the Economic Community of West African States to establish a Small Arms Unit and to adopt a new Small Arms Control

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[253] S/2005/17.

[254] S/2005/16.

[255] S/PRST/2005/9.

[256] S/2005/86.

[257] S/PRST/2004/7.

Programme and its ongoing efforts to transform the moratorium on the import, export and manufacture of small arms and light weapons, signed in Abuja on 31 October 1998,[258] into a binding convention.

"The Council welcomes the decision of the European Commission on 2 December 2004 to assist the Economic Community of West African States in implementing its plans to combat the illicit dissemination of small arms. The Council reiterates its call upon all Member States and organizations, in a position to do so, to extend further assistance to the Economic Community of West African States in this field. The Council calls upon arms producing and exporting countries and West African States to explore ways in which they can ensure the implementation of the moratorium.

"The Council calls upon Member States and key international partners to explore practical ways of assisting the Economic Community of West African States in enhancing its capacities in the areas of conflict prevention, peacemaking and peacekeeping, including through the provision of technical expertise, training programmes, and logistical and financial resources. In this connection, the Council reaffirms the crucial importance of the reintegration of ex-combatants, taking into account the special needs of child soldiers and women, in order to reverse the culture of violence and create an enabling environment for national reconciliation in countries emerging from conflict, and reiterates its call to the international community to provide adequate funding to this end.

"The Council underlines the fact that ongoing or emerging crises in West Africa are a threat to subregional stability, and, in this regard, notes with deep concern the emerging and ongoing tensions in some countries over the transfer of power, involving members of security and armed forces, and which may further obstruct efforts to stabilize the subregion.

"The Council recalls in this regard the African Union position on unconstitutional changes of governments, as stated in the 1999 Algiers Declaration[259] and the 2000 Lomé Declaration.[260]

"The Council welcomes the action taken by the Economic Community of West African States and the African Union to address these issues.

"The Council expresses its deep concern about the involvement of individuals including those from security and armed forces in such illicit activities as smuggling of arms, drugs and natural resources, human trafficking, extortion at roadblocks and money laundering, in the context of mismanagement in the administration of justice, and weak government capacity to fight against criminal activities and impunity. The Council stresses the need to pay special attention to those critical issues that have a direct bearing on efforts to enhance peace, stability and democratic governance in West African countries.

"The Council emphasizes the need to pursue security sector reforms aiming at improving civil-military relations in countries emerging from conflict situations and creating a culture of peace and stability and promoting the rule of law. In this regard, the Council requests the United Nations Office for West Africa to further explore with interested governments and organizations ways in which security sector reforms could be formulated and implemented.

"In this regard, the Council welcomes the ongoing efforts of the Economic Community of West African States, in collaboration with the United Nations Office on Drugs and Crime, to improve border control mechanisms in West Africa by facilitating the flow of information among national law enforcement authorities, as well as regional networking and cooperation in law enforcement issues.

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[258] S/1998/1194, annex.

[259] A/54/424, annex II, decision AHG/Decl. 1 (XXXV).

[260] A/55/286, annex II, decision AHG/Decl. 5 (XXXVI).

"The Council reiterates the importance of curbing the growing risks of instability along some border areas. The Council, therefore, encourages the United Nations Office for West Africa to facilitate, in close cooperation with the Executive Secretariat of the Economic Community of West African States and its member States concerned, the implementation of strategies developed for sensitive border zones in the subregion, and calls upon donors to support these efforts.

"The Council stresses the need to help West African States to curb illicit cross-border activities and to strengthen the capacities of the civil society groups working to promote a cross-border culture of non-violence and peace.

"The Council further emphasizes the need to generate economic activities and to foster development as a means of promoting sustainable peace in the subregion. It urges international donors to assist the Economic Community of West African States to address that need.

"The Council reaffirms the urgency of finding lasting solutions to the problem of youth unemployment in order to prevent the recruitment of such youth by illegal armed groups. In this connection, the Council requests the Secretary-General to include in his next progress report practical recommendations on how best to tackle the problem of youth unemployment.

"The Council urges donor countries, international organizations and civil society to address the dire humanitarian situation in many parts of the subregion and to provide adequate resources within the framework of the consolidated appeals process 2005 for West Africa as part of a regional humanitarian response strategy to improve the human security of the people in dire need of protection or those whose coping capacities are close to exhaustion.

"The Council expresses its intention to keep these issues under review, and requests the Secretary-General to report on them regularly through his reports on the United Nations missions in the subregion."

SECURITY COUNCIL MEETINGS IN NAIROBI (18–19 NOVEMBER 2004)

Decision

At its 5063rd meeting, on 26 October 2004, the Security Council considered the item entitled "Security Council meetings in Nairobi (18–19 November 2004)".

Resolution 1569 (2004)
of 26 October 2004

The Security Council,

Acting in accordance with Article 28, paragraph 3, of the Charter of the United Nations,

1. *Decides* to hold meetings in Nairobi starting on 18 November 2004 and ending on 19 November 2004, and that the agenda for these meetings will be "The reports of the Secretary-General on the Sudan";

2. *Decides also* to discuss the Sudan with representatives of the African Union and the Intergovernmental Authority on Development at the above-mentioned meetings, and to take the

opportunity of the presence of the Security Council in Nairobi to discuss other peace efforts in the region with both the African Union and the Intergovernmental Authority on Development;

3. *Decides further*, with respect to the meetings referred to in paragraph 1 above, to waive the requirement set out in rule 49 of its provisional rules of procedure that the verbatim record of each meeting of the Council shall be made available on the first working day following the meeting, and decides that the verbatim record shall be issued subsequently in New York.

Adopted unanimously at the 5063rd meeting.

THE SITUATION IN THE GREAT LAKES REGION[261]

Decisions

At its 5065th meeting, on 27 October 2004, the Security Council considered the item entitled "The situation in the Great Lakes region".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahima Fall, Special Representative of the Secretary-General for the Great Lakes Region.

In a letter dated 8 November 2004, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Central Africa from 20 to 25 November 2004.[262]

On 16 November 2004, the President of the Security Council addressed the following letter to the Secretary-General:[263]

> "I have the honour to inform you that your letter dated 11 November 2004 concerning the International Conference on the Great Lakes Region and your intention to extend until 31 December 2005 the mandate of your Special Representative for the region, Mr. Ibrahima Fall, which will expire on 31 December 2004,[264] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

WOMEN AND PEACE AND SECURITY[265]

Decisions

At its 5066th meeting, on 28 October 2004, the Security Council decided to invite the representatives of Argentina, Australia, Bangladesh, Canada, El Salvador, Fiji, Guatemala, Honduras, Iceland, India, Indonesia, Japan, Kenya, Liechtenstein, Mali, Mexico, Myanmar, Namibia, Netherlands, New Zealand, Nigeria, Norway, Republic of Korea, South Africa, Sweden, the Syrian Arab Republic and the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled:

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[261] Resolutions or decisions on this question were also adopted by the Security Council in 1996, 1998 to 2003 and during the period from 1 January to 31 July 2004.

[262] The letter, which was issued as a Security Council document under the symbol S/2004/891, has been reproduced on page 72 of the present volume.

[263] S/2004/905.

[264] S/2004/904.

[265] Resolutions or decisions on this question have been adopted by the Security Council every year since 2000.

"Women and peace and security

"Report of the Secretary-General on women and peace and security (S/2004/814)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guehenno, Under-Secretary-General for Peacekeeping Operations, Ms. Louise Arbour, United Nations High Commissioner for Human Rights, Ms. Thoraya Ahmed Obaid, Executive Director of the United Nations Population Fund, Ms. Agathe Rwankuba, Legal Advisor to the Women's Network for the Protection of Human Rights and Peace, Ms. Noeleen Heyzer, Executive Director of the United Nations Development Fund for Women, and Ms. Carmen Moreno, Director of the United Nations International Research and Training Institute for the Advancement of Women.

At the same meeting, in response to the request dated 22 October 2004 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Elsie Bernadette Onubogu, Permanent Observer of the Commonwealth Secretariat at the United Nations.

At the same meeting, in response to the request dated 22 October 2004 from the Deputy Secretary-General of the Commonwealth Secretariat, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Winston Cox, Deputy Secretary-General of the Commonwealth Secretariat.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[266]

"The Security Council reaffirms its commitment to the continuing and full implementation of its resolution 1325 (2000), and welcomes the increasing focus on the situation of women and girls in armed conflict since the adoption of resolution 1325 (2000) in October 2000. The Council recalls the statement by its President of 31 October 2002[267] and the meeting held on 29 October 2003 as valuable demonstrations of that commitment.

"The Council also recalls the Beijing Declaration and Platform for Action[268] and the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century,[269] in particular the commitments concerning women and armed conflict.

"The Council welcomes the report of the Secretary-General on women and peace and security,[270] and expresses its intention to study its recommendations. The Council welcomes the efforts of the United Nations system, Member States, civil society and other relevant actors, to promote the equal participation of women in efforts to build sustainable peace and security.

"The Council strongly condemns the continued acts of gender-based violence in situations of armed conflict. The Council also condemns all violations of the human rights of women and girls in situations of armed conflict and the use of sexual exploitation, violence and abuse. The Council urges the complete cessation by all parties of such acts with immediate effect. It stresses the need to end impunity for such acts as part of a comprehensive approach to seeking peace, justice, truth and national reconciliation. The Council welcomes the efforts of the United Nations system to establish and implement strategies and programmes to prevent and report on gender-based violence, and urges the Secretary-General to further his efforts in this regard. The Council requests the Secretary-General to ensure that human rights monitors and members of commissions of inquiry have the necessary expertise and training in gender-based crimes and in the conduct of investigations, including in a culturally sensitive manner favourable to the needs, dignity and rights of the victims. The Council urges all international and national courts specifically established to prosecute war-related crimes to provide gender expertise, gender training for all staff and gender-sensitive programmes for victims and witness protection. It emphasizes the urgent need for programmes that provide support to survivors of gender-based violence. The Council further requests that appropriate attention be given to the issue of gender-based violence in all future reports to it.

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[266] S/PRST/2004/40.

[267] S/PRST/2002/32

[268] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[269] General Assembly resolutions S-23/2, annex, and S-23/3, annex.

[270] S/2004/814.

"The Council reaffirms the important role of women in the prevention of conflict and supports the Secretary-General's intention to develop a comprehensive system-wide strategy and action plan for increasing attention to gender perspectives in conflict prevention. The Council urges all relevant actors to work collaboratively, including through strengthened interaction with women's organizations, to ensure the full participation of women and the incorporation of a gender perspective in all conflict prevention work.

"The Council also welcomes the Secretary-General's intention to develop a comprehensive strategy and action plan for mainstreaming a gender perspective into all peacekeeping activities and operations and to incorporate gender perspectives in each thematic and country report to the Council. In support of this process, the Council reaffirms its commitment to integrate fully gender perspectives into the mandates of all peacekeeping missions. It recognizes the contribution of the gender adviser within the Department of Peacekeeping Operations to advancing the implementation of resolution 1325 (2000), and requests the Secretary-General to consider an equivalent arrangement within the Department of Political Affairs to further support such implementation.

"The Council considers that an increase in the representation of women in all aspects of conflict prevention, peacekeeping and peacebuilding operations and humanitarian response is urgently needed. To that end, the Council urges the Secretary-General to strengthen his efforts to identify suitable female candidates, including, as appropriate, from troop-contributing countries, in conformity with Article 101 of the Charter of the United Nations and taking into account the principle of equitable geographical balance. Such efforts should include the implementation of targeted recruitment strategies and also seek to identify candidates for senior level positions, including in the military and civilian police services.

"The Council recognizes the vital contribution of women in promoting peace and their role in reconstruction processes. The Council welcomes the Secretary-General's intention to develop strategies to encourage the full participation of women in all stages of the peace process. The Council also requests the Secretary-General to encourage gender mainstreaming in disarmament, demobilization and reintegration programmes by developing guidelines to increase attention to the needs of women and girls in such programmes. It further requests the Secretary-General to mainstream a gender perspective in all aspects of post-conflict reconstruction programmes, including through the strengthening of gender theme groups in countries emerging from conflict, and to ensure that all policies and programmes in support of post-conflict constitutional, judicial and legislative reform, including truth and reconciliation and electoral processes, promote the full participation of women, gender equality and women's human rights.

"The Council recognizes the important contribution of civil society to the implementation of resolution 1325 (2000), and encourages Member States to continue to collaborate with civil society, in particular with local women's networks and organizations, in order to strengthen implementation. To that end, the Council welcomes the efforts of Member States in implementing resolution 1325 (2000) at the national level, including the development of national action plans, and encourages Member States to continue to pursue such implementation.

"The Council recognizes that significant progress has been made in the implementation of resolution 1325 (2000) in certain areas of United Nations peace and security work. The Council expresses its readiness to further promote the implementation of this resolution, and in particular through active cooperation with the Economic and Social Council and the General Assembly. In order to further consolidate this progress, the Council requests the Secretary-General to submit to it in October 2005 an action plan, with time lines, for implementing resolution 1325 (2000) across the United Nations system, with a view to strengthening commitment and accountability at the highest levels, as well as to allow for improved accountability, monitoring and reporting on progress on implementation within the United Nations system."

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC[271]

Decisions

At its 5067th meeting, on 28 October 2004, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled "The situation in the Central African Republic".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[272]

"The Security Council commends the Central African authorities, the political parties and civil society of the Central African Republic for the efforts they have made for the ongoing success of the transition process. The Council welcomes in particular the spirit of consensus which the Central African parties have shown and which attests to their determination to continue the transition process to the end.

"The Council encourages the Central Africans to continue their efforts to ensure the success of the constitutional referendum in November and the satisfactory organization of free, transparent and democratic presidential and legislative elections in January 2005.

"The Council also pays tribute to the United Nations system in the Central African Republic and in particular to the Representative of the Secretary-General, General Lamine Cissé, for his work at the head of the United Nations Peacebuilding Support Office in the Central African Republic, and reaffirms to him its full support. The Council is pleased that the Secretary-General intends to renew the mandate of the Office until 31 December 2005.

"The Council welcomes the assistance provided by the international community to the stabilization and recovery of the Central African Republic as well as the considerable efforts made by the member States of the Central African Economic and Monetary Community in the political, economic and security fields.

"The Council calls upon international donors and the international financial institutions to continue to provide resolute support to the Central African Republic, including on the preparation of the upcoming legislative and presidential elections. It also emphasizes that their support will be essential for the country's economic and social recovery, and encourages them to formulate, in close consultation with relevant development agencies and with the Government of the Central African Republic, a concerted development strategy for the country.

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[271] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

[272] S/PRST/2004/39.

"However, the Council expresses its concern at the deterioration of the State's finances and of the public sector, and calls upon the Central African authorities to act with determination in order to address this situation.

"The Council reiterates its full support for the Central African Economic and Monetary Community multinational force, and calls for the continuation of the restructuring of the Central African Republic's defence and security forces.

"The Council also encourages the Central African authorities to continue to combat, with determination, human rights violations.

"The Council again expresses its concern at the possible consequences to the Central African Republic of the crises in the subregion. Accordingly, it welcomes with satisfaction the Secretary-General's initiative in asking the United Nations Peacebuilding Support Office in the Central African Republic to assess the implications of developments in neighbouring countries on the situation in Central African Republic and vice versa."

On 28 October 2004, the President of the Security Council addressed the following letter to the Secretary-General:[273]

"I have the honour to inform you that, as requested, your letter dated 18 October 2004 concerning your proposal to extend the mandate of the United Nations Peacebuilding Support Office in the Central African Republic, which expires on 31 December 2004, for an additional year, until 31 December 2005,[274] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

At its 5232nd meeting, on 22 July 2005, the Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

"Report of the Secretary-General on the situation in the Central African Republic and the activities of the United Nations Peacebuilding Support Office in the Central African Republic (S/2005/414)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[275]

"The Security Council heard a briefing by the Representative of the Secretary-General, General Lamine Cissé, on the situation in the Central African Republic and the activities of the United Nations Peacebuilding Support Office in the Central African Republic. It reiterated its full support for the action of the Representative of the Secretary-General.

"The Council is deeply gratified by the successful holding of the presidential and legislative elections, and welcomes the establishment of the newly elected institutions whose stability is necessary to ensure lasting peace in the Central African Republic.

"The Council acknowledges the efforts by the Central African defence and security forces to guarantee satisfactory security conditions during the electoral process, and commends the Multinational Force of the Central African Economic and Monetary Community, France, the European Union, China and Germany for providing decisive support to them.

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[273] S/2004/875.

[274] S/2004/874.

[275] S/PRST/2005/35.

"The Council appreciates the vital role played in the process by the Multinational Force of the Central African Economic and Monetary Community to date, and expresses its support for continuing efforts by the Force to back the consolidation of the constitutional order, which has thus been re-established, and the rebuilding of the rule of law. In this regard, it welcomes the decision of the States of the Central African Economic and Monetary Community to extend the mandate of the Force.

"The Council invites the Government of the Central African Republic, and all the political and social forces, to consolidate the national dialogue and to ensure national reconciliation with a view to achieving sustainable development in their country.

"The Council calls upon international donors and the international financial institutions to continue to assist the Central African Republic generously. It emphasizes that their support will be indispensable for the country's economic and social recovery, and encourages them to formulate, in close consultation with the United Nations system and the Government of the Central African Republic, a concerted development strategy.

"The Council requests the Secretary-General to explore, in close consultation with the authorities of the Central African Republic and the country's development partners, the possibility of setting up a follow-up committee or enlarging the Committee of Foreign Partners to Follow Up on the Electoral Process in order to support the reconstruction efforts initiated by the Central Africans. It invites the Secretary-General to report to it on his consultations, through his Representative in the Central African Republic, no later than 31 October 2005.

"The Council expresses its concern at the insecurity reigning in the north and the west of the country owing to the presence of armed groups in these regions, and invites relevant States to consult with subregional and regional organizations and with the United Nations Peacebuilding Support Office in the Central African Republic on the action required to respond collectively to the threat posed by these armed groups to the stability of the Central African Republic and certain countries of the subregion.

"The Council expresses also its deep concern at the continued deterioration of the humanitarian situation in the Central African Republic, in particular in the north of the country. It calls upon the international community to contribute generously to meet the humanitarian needs of the Central African Republic."

THE SITUATION CONCERNING WESTERN SAHARA[276]

Decision

At its 5068th meeting, on 28 October 2004, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2004/827)".

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[276] Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1988, 1990 to 2003 and during the period from 1 January to 31 July 2004.

Resolution 1570 (2004)
of 28 October 2004

The Security Council,

Recalling all its previous resolutions on Western Sahara, including resolutions 1495 (2003) of 31 July 2003 and 1541 (2004) of 29 April 2004,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations to end the current impasse and to achieve progress towards a political solution,

Having considered the report of the Secretary-General of 20 October 2004,[277]

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 April 2005;

2. *Requests* that the Secretary-General provide a report on the situation before the end of the mandate period and an interim report, within three months from adoption of the resolution, on the evolution of the situation and on the Mission's size and concept of operation, with further detail on the options discussed in the report of the Secretary-General of 20 October 2004[277] on the possible reduction of the Mission staff, including civilian and administrative personnel;

3. *Calls upon* Member States to consider voluntary contributions to fund confidence-building measures that allow for increased person-to-person contact, in particular the exchange of family visits;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 5068th meeting.

Decision

At its 5170th meeting, on 28 April 2005, the Security Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/2005/254)".

Resolution 1598 (2005)
of 28 April 2005

The Security Council,

Recalling all its previous resolutions on Western Sahara, including resolutions 1495 (2003) of 31 July 2003, 1541 (2004) of 29 April 2004 and 1570 (2004) of 28 October 2004,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

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[277] S/2004/827.

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations to end the current impasse and to achieve progress towards a political solution,

Urging the Frente Popular para la Liberación de Seguia El-Hamra y de Río de Oro to release without further delay all remaining prisoners of war in compliance with international humanitarian law, and calling upon Morocco and the Frente Popular para la Liberación de Seguia El-Hamra y de Río de Oro to continue to cooperate with the International Committee of the Red Cross to resolve the fate of persons who are unaccounted for since the beginning of the conflict,

Having considered the report of the Secretary-General of 19 April 2005,[278] and taking note of his interim report of 27 January 2005,[279]

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 October 2005;

2. *Affirms* the need for full respect of the military agreements reached with the Mission with regard to the ceasefire;

3. *Calls upon* Member States to consider voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family unification visits;

4. *Looks forward* to receiving the results of the comprehensive review of the structure of the administrative and other civilian components of the Mission, as outlined in the report of the Secretary-General of 19 April 2005;[278]

5. *Requests* that the Secretary-General provide a report on the situation concerning Western Sahara before the end of the mandate period;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5170th meeting

Decision

On 28 July 2005, the President of the Security Council addressed the following letter to the Secretary-General:[280]

> "I have the honour to inform you that your letter dated 25 July 2005 concerning your decision to appoint Mr. Peter van Walsum, of the Netherlands, as your Personal Envoy for Western Sahara[281] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[278] S/2005/254.

[279] S/2005/49.

[280] S/2005/498.

[281] S/2005/497.

SECURITY COUNCIL MISSION[282]

Decisions

In a letter dated 8 November 2004, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Central Africa from 20 to 25 November 2004.[283]

At its 5091st meeting, on 30 November 2004, the Council considered the item entitled:

"Security Council mission

"Briefing by the head of the Security Council mission to Central Africa".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marc de La Sablière, Head of the Security Council mission to Central Africa.

At its 5096th meeting, on 8 December 2004, the Council decided to invite the representatives of Burundi, the Democratic Republic of the Congo, Japan, the Netherlands, Rwanda and Uganda to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to Central Africa, 21–25 November 2004 (S/2004/934)".

At the same meeting, the representative of France, Mr. Jean-Marc de La Sablière, made a statement in his capacity as Head of the Security Council mission to Central Africa.

In a letter dated 31 March 2005, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Haiti from 13 to 16 April 2005.[284]

In a letter dated 11 April 2005, the President of the Security Council informed the Secretary-General that the Council had agreed on the composition of the mission to Haiti from 13 to 16 April 2005.[285]

At its 5164th meeting, on 20 April 2005, the Council considered the item entitled:

"Security Council mission

"Briefing by the head of the Security Council mission to Haiti".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ronaldo Mota Sardenberg, Head of the Security Council mission to Haiti.

At its 5178th meeting, on 13 May 2005, the Council decided to invite the representatives of Canada, Chile, Guatemala, Haiti, Luxembourg, Norway, Peru, Spain, and Trinidad and Tobago to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to Haiti (S/2005/302)".

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[282] Resolutions or decisions on this question were also adopted by the Security Council in 2002, 2003 and during the period from 1 January to 31 July 2004.

[283] The letter, which was issued as a Security Council document under the symbol S/2004/891, has been reproduced on page 72 of the present volume.

[284] The letter, which was issued as a Security Council document under the symbol S/2005/220, has been reproduced on page 143 of the present volume.

[285] The letter, which was issued as a Security Council document under the symbol S/2005/235, has been reproduced on page 145 of the present volume.

At the same meeting, in response to a request contained in a letter dated 12 May 2005 from the Permanent Representative of Benin to the United Nations addressed to the President of the Security Council,[286] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ridha Bouabid, Permanent Observer of the International Organization of la Francophonie.

At the same meeting, the representative of Brazil, Mr. Ronaldo Mota Sardenberg, made a statement in his capacity as Head of the Security Council mission to Haiti.

INSTITUTIONAL RELATIONSHIP WITH THE AFRICAN UNION

Decisions

At its 5084th meeting, held in Nairobi on 19 November 2004, the Security Council decided to invite the representative of Nigeria and representative of the Chairman of the African Union to participate, without vote, in the discussion of the item entitled "Institutional relationship with the African Union".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[287]

> "The Security Council reiterates its primary responsibility for the maintenance of international peace and security, and recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of peace and security is an important pillar of the system of collective security established by the Charter of the United Nations, as provided for in Chapter VIII thereof.
>
> "The Council reaffirms the statement by its President of 20 July 2004,[288] which underscores the importance of a stronger relationship between the United Nations and regional organizations consistent with the principles set forth in Articles 52 and 53 of the Charter.
>
> "The Council, at its meeting on 19 November 2004 in Nairobi, addressed the institutional relationship between the United Nations and the African Union, including their collective efforts to resolve African conflicts and to promote sustainable peace, development and stability.
>
> "The Council, referring to the Constitutive Act of the African Union, welcomes the establishment of the Peace and Security Council of the African Union, and expresses its support for early ratification of the Peace and Security Protocol by all African States and the establishment of an African standby force and an early warning system in Africa. The completion of these efforts will allow for better coordination of regional mechanisms to foster peace and security, sustainable development and the eradication of poverty in Africa, as set forth in the New Partnership for Africa's Development.[289]
>
> "The Council recognizes the importance of strengthening cooperation with the African Union in order to help build its capacity to deal with collective security challenges, including through the establishment of rapid and appropriate responses to emerging crisis situations and the development of effective strategies for conflict prevention, peacekeeping and peacebuilding.

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[286] Document S/2005/311, incorporated in the record of the 5178th meeting.

[287] S/PRST/2004/44.

[288] S/PRST/2004/27.

[289] A/57/304, annex.

"The Council welcomes, in this regard, the provision by the United Nations and donors of technical, logistical and military planning support to the African Union in the establishment of African Union peace and security mechanisms and operations.

"The Council particularly welcomes the leading role of the African Union in efforts to settle crises on the African continent, and expresses its full support for the peace initiatives conducted by the African Union, and through subregional organizations such as the Economic Community of West African States, the Southern African Development Community, the Central African Economic and Monetary Community, the Intergovernmental Authority on Development and other regional agreements committed to the peaceful settlement of disputes in Africa. The Council underlines the importance of being kept fully informed, consistent with Article 54 of the Charter.

"The Council also welcomes the strengthening of practical cooperation between the United Nations and the African Union, as demonstrated in the case of the African Mission in the Sudan and the African Mission in Burundi, to support and enhance the management and operational capacities of the African Union in the field of peacekeeping and peacebuilding.

"The Council calls upon the international community to support the efforts of the African Union to strengthen its capacities for peacekeeping, conflict resolution and post-conflict reconstruction, through the provision of information, training, expertise and resources, and to support the activities of the United Nations and its agencies in this regard.

"The Council further invites the Secretary-General to explore, in close consultation with the Chairperson of the African Union Commission, new means of cooperation between the United Nations and the African Union, especially taking into consideration the expanded mandate and the new organs of the African Union."

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION[290]

Decisions

At its 5097th meeting, on 9 December 2004, the Security Council considered the item entitled:

"Non-proliferation of weapons of mass destruction

> "Letter dated 8 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council (S/2004/958)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mihnea Ioan Motoc, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

On 7 January 2005, the President of the Security Council addressed the following letter to the Secretary-General:[291]

"I have the honour to inform you that your letter dated 20 December 2004, concerning your intention to appoint Mr. Volker Beck, of Germany, Mr. Richard T. Cupitt, of the United States of America, Mr. Roque Monteleone-Neto, of Brazil, and Mr. Victor S. Slipchenko, of the Russian Federation, as experts to assist the work of the Security Council Committee established pursuant to resolution 1540 (2004)[292] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[290] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2004.

[291] S/2005/11.

PROTECTION OF CIVILIANS IN ARMED CONFLICT[293]

Decisions

At its 5100th meeting, on 14 December 2004, the Security Council decided to invite the representatives of Argentina, Bangladesh, Canada, Colombia, Costa Rica, Côte d'Ivoire, Egypt, Honduras, Japan, Kenya, Liechtenstein, the Netherlands, New Zealand, Nigeria, Peru and Switzerland to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[294]

> "The Security Council has considered the matter of protection of civilians in armed conflict. The Council recalls all its relevant resolutions, in particular resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict, as well as statements by its Presidents, and reiterates its commitment to address the widespread impact of armed conflict on civilians.
>
> "The Council reaffirms its strong condemnation of all acts of violence targeting civilians or other protected persons under international law. The Council is gravely concerned that civilians are increasingly targeted by combatants and armed elements during armed conflict, in particular women, children and other vulnerable groups, including refugees and internally displaced persons, and recognizes the negative impact this will have on durable peace and national reconciliation. The Council also reaffirms its condemnation of all incitements to violence against civilians in situations of armed conflict, in particular the use of media to incite hatred and violence. The Council urges all parties to armed conflict, including non-State parties, to put an end to such practices.
>
> "The Council reiterates its call to all parties to armed conflict, including non-State parties, to comply fully with the provisions of the Charter of the United Nations and with rules and principles of international law, in particular, international humanitarian law, and, as applicable, human rights and refugee law, and to implement fully the relevant decisions of the Council. The Council recalls the obligations of all States to ensure respect for international humanitarian law, including the four Geneva Conventions of 12 August 1949,[295] and emphasizes the responsibility of States to end impunity and to prosecute those responsible for genocide, war crimes, crimes against humanity and serious violations of humanitarian law. It further calls upon all States which have not already done so to consider

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[292] S/2004/985.

[293] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

[294] S/PRST/2004/46.

[295] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

ratifying or acceding to major instruments of international humanitarian, human rights and refugee law, and to take appropriate measures to implement them.

"The Council underlines the importance of safe and unhindered access of humanitarian personnel and assistance to civilians in armed conflict in accordance with international law. It reiterates its call to all parties to armed conflict, including non-State parties, to take all necessary measures to ensure security and freedom of movement of United Nations and associated personnel as well as personnel of humanitarian organizations. The Council condemns all attacks targeting United Nations personnel and other humanitarian workers, and underlines the fact that the perpetrators of such attacks must be held accountable as outlined in its resolution 1502 (2003) of 26 August 2003. The Council underscores the importance for humanitarian organizations to uphold the principles of the neutrality, impartiality and humanity of their humanitarian activities and the independence of their objectives.

"The Council recognizes the importance of a comprehensive, coherent and action-oriented approach, including early planning, to the protection of civilians in situations of armed conflict. It stresses, in this regard, the need to adopt a broad strategy of conflict prevention, which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights. It encourages further cooperation and coordination between Member States and the United Nations system. The Council, moreover, recognizes the needs of civilians under foreign occupation, and stresses further, in this regard, the responsibilities of the occupying Power.

"The Council, recognizing the regional dimensions of certain armed conflict, stresses the need for regional cooperation in order to address cross-border issues such as disarmament, demobilization, reintegration and rehabilitation, cross-border movement of refugees and combatants, human trafficking, illicit flow of small arms and illegal exploitation of natural resources and post-conflict situations. It encourages regional and subregional organizations to develop, as appropriate, a regional protection strategy and provide for a coherent and strong framework for addressing protection issues. The Council welcomes the steps taken by regional organizations in this regard and requests the United Nations system and other international organizations to provide them with the necessary support, and to consider means for the reinforcement of national capacities. The Council takes into account, in this regard, the Secretary-General's recommendation regarding the establishment of a framework within which the United Nations could engage with regional organizations more systematically on humanitarian issues related to protection and access and better address those issues at the regional intergovernmental level.

"The Council strongly condemns the increased use of sexual and gender-based violence as a weapon of war as well as the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them. The Council underlines the vulnerability of women and children in situations of armed conflict, bearing in mind in this regard its resolutions 1325 (2000) on women and peace and security and 1539 (2004) as well as all other resolutions on children and armed conflict, and recognizes their special needs, in particular those of the girl child. It stresses the importance of developing strategies aimed at preventing and responding to sexual and gender-based violence, through the improvement in the design of peacekeeping and assessment missions by, inter alia, the inclusion of gender and child protection advisers. It stresses also the importance for women and children subject to exploitation and sexual violence to receive adequate assistance and support.

"Mindful of the particular vulnerability of refugees and internally displaced persons, the Council reaffirms the primary responsibility of States to ensure their protection, in particular, by preserving the civilian character of camps of refugees and internally displaced persons, and to take effective measures to protect them from infiltration by armed groups, abduction and forced military recruitment.

"The Council reaffirms its readiness to ensure that peacekeeping missions are given suitable mandates and adequate resources so as to enable them to better protect civilians under imminent threat of physical danger, including by strengthening the ability of the United Nations to plan and rapidly deploy peacekeeping and humanitarian personnel, utilizing the United Nations stand-by arrangements system, as appropriate.

"The Council considers that a coherent and integrated approach to the disarmament, demobilization, reintegration and rehabilitation of ex-combatants, which takes into account the special needs of child soldiers and women combatants, is of crucial importance for a sustained peace and stability. The Council reaffirms the need for the inclusion of these activities in the mandates of United Nations peacekeeping operations, and emphasizes the importance of resources being made available for such activities.

"The Council is concerned by the growing problem of humanitarian emergency situations while funding and resources do not match requirements. It urges the international community to ensure adequate and timely funding in response to humanitarian need across crises, so as to provide sufficient humanitarian assistance in alleviating the suffering of civilian populations, in particular those in areas affected by armed conflict or emerging from a situation of conflict.

"The Council expresses its appreciation for the efforts of the United Nations agencies, regional organizations, international humanitarian organizations and other relevant actors aimed at raising international awareness of the suffering of civilians in armed conflicts, including refugees and internally displaced persons, and considers such efforts as a key element for the promotion of a culture of protection and for the building of international solidarity with the victims of armed conflict.

"The Council invites the Secretary-General to continue to refer to it relevant information and analysis, where he believes that such information or analysis could contribute to the improvement of its work on the protection of civilians in armed conflict, and to continue to include in his written reports to the Council on matters of which it is seized, as appropriate, observations relating to the protection of civilians in armed conflict. In this context, the Security Council reiterates the importance of the aide-memoire annexed to the statement by its President[296] as well as the road map for the protection of civilians in armed conflict as a practical tool for dealing with protection issues.

"The Council notes the submission of the report of the Secretary-General of 28 May 2004 on the protection of civilians in armed conflict,[297] which examines the ten-point platform, and requests him to submit his next report by 28 November 2005, and to include in this report information on the implementation of Council resolutions previously adopted on this subject as well as any additional recommendations on ways the Council and other organs of the United Nations, acting within their respective spheres of responsibility, could further improve the protection of civilians in situations of armed conflict."

At its 5209th meeting, on 21 June 2005, the Council decided to invite the representatives of Canada, Colombia, Côte d'Ivoire, Egypt, Luxembourg, Nigeria, Norway and Peru to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

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[296] S/PRST/2002/6.

[297] S/2004/431.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[298]

> "The Security Council, recalling its resolutions 1265 (1999) and 1296 (2000) as well as statements made by its Presidents on the protection of civilians in armed conflict, reiterates its commitment to address the widespread impact of armed conflict on civilian populations.
>
> "The Council reaffirms its strong condemnation of the deliberate targeting of civilians or other protected persons in situations of armed conflict, and calls upon all parties to put an end to such practices. It expresses, in particular, its deep concern at the use of sexual violence as a weapon of war. It calls upon all States to put an end to impunity also in this regard.
>
> "The Council is gravely concerned about limited progress on the ground to ensure the effective protection of civilians in situations of armed conflict. It stresses, in particular, the urgent need for providing better physical protection for displaced populations as well as for other vulnerable groups, in particular women and children. Efforts should be focused in areas where these populations and groups are most at risk. At the same time, it considers that contributing to the establishment of a secure environment for all vulnerable populations should be a key objective of peacekeeping operations.
>
> "The Council invites, accordingly, the Secretary-General to include in his next report recommendations on ways to better address the persisting and emerging protection challenges in the evolving peacekeeping environment. Upon receipt of this report, it expresses its intention to take further action to strengthen and to enhance the protection of civilians in armed conflict, including, if necessary, the possible adoption of a resolution in this regard."

BRIEFINGS BY CHAIRMEN OF SUBSIDIARY BODIES OF THE SECURITY COUNCIL[299]

Decisions

At its 5106th meeting, on 22 December 2004, the Security Council considered the item entitled "Briefings by Chairmen of Security Council committees and working groups".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ismael Abraão Gaspar Martins, Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, Mr. Munir Akram, Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, and Mr. Gunter

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[298] S/PRST/2005/25.

[299] Resolutions or decisions on this question were also adopted by the Security Council in 2003. As from the 5168th meeting, held on 25 April 2005, the wording of the item "Briefings by Chairmen of Security Council committees and working groups" was revised to read "Briefings by Chairmen of subsidiary bodies of the Security Council".

Pleuger, Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire.

At its 5168th meeting, on 25 April 2005, the Council decided to invite the representatives of Australia, Chile, Cuba, Liechtenstein, Luxembourg, Morocco, Spain, Venezuela (Bolivarian Republic of) and Viet Nam to participate, without vote, in the discussion of the item entitled:

"Briefings by Chairmen of subsidiary bodies of the Security Council

> "Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities
>
> "Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism
>
> "Security Council Committee established pursuant to resolution 1540 (2004)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, Ms. Ellen Margrethe Løj, Chairperson of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and Mr. Mihnea Ioan Motoc, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[300]

> "The Security Council welcomes the briefings by the Chairmen of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, the Security Council Committee established pursuant to resolution 1373 (2001) on counter-terrorism and the Security Council Committee established pursuant to resolution 1540 (2004), on the work of the three Committees.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivations, whenever and by whomsoever committed.
>
> "The Council also reaffirms that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security as stressed in resolution 1540 (2004). The Council recalls its grave concern about the risk posed by non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical and biological weapons and their means of delivery.
>
> "The Council welcomes the adoption by the General Assembly on 13 April 2005 of the International Convention for the Suppression of Acts of Nuclear Terrorism[301] by consensus.
>
> "The Council stresses the different mandates of the three Committees. The Council reaffirms its call for enhanced cooperation among the Committees, as well as their respective groups of experts, in monitoring implementation by States of provisions of the Council resolutions relevant to the three Committees, and invites the Committees, including their respective groups of experts, to strengthen further their cooperation through enhanced

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[300] S/PRST/2005/16.

[301] General Assembly resolution 59/290, annex.

information sharing, coordinated visits to countries and other issues of relevance to the three Committees. The Council also invites the three Committees to continue cooperation with the working group established pursuant to resolution 1566 (2004).

"The Council recalls the obligation of Member States to report to the three Committees in a timely manner on steps they have taken or intend to take to implement resolutions 1267 (1999), 1373 (2001), and 1540 (2004) and related resolutions, and encourages the three Committees to consider, if appropriate, how to deal with late submission of reports to these Committees in a coordinated manner.

"The Council reaffirms that the responsibility for implementing its resolutions relevant to the mandates of the three Committees, including preparation of reports to the respective Committees, rests with the States. The Council encourages international, regional and subregional organizations to enhance their efforts to further the implementation by their members of these resolutions, and further encourages such organizations, as well as States, where appropriate, to provide technical assistance to enhance the capacity of States to implement these resolutions.

"The Council welcomes the important contribution made by relevant international, regional and subregional organizations in the fight against terrorism and to ensure that non-State actors do not develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical and biological weapons and their means of delivery. The Council encourages the three Committees to further strengthen their cooperation with such organizations.

"The Council further welcomes the important contribution made to the work of the Committee established pursuant to resolution 1267 (1999) by the Analytical Support and Sanctions Monitoring Team established pursuant to Council resolution 1526 (2004) in application of its mandate annexed to that resolution; to the work of the Committee established pursuant to resolution 1540 (2004) by its experts; and, to the work of the Counter-Terrorism Committee established pursuant to resolution 1373 (2001) by the Counter-Terrorism Committee Executive Directorate established by resolution 1535 (2004), and notes with satisfaction the completion by the Counter-Terrorism Committee Executive Directorate of its first field mission to a Member State as contemplated by resolution 1535 (2004).

"The Council invites the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for its fifteenth 90-day period.[302] The Council encourages all parts of the United Nations to do their utmost to ensure that the Counter-Terrorism Committee Executive Directorate becomes fully operational in the shortest possible time.

"The Council also invites the Committee established pursuant to resolution 1540 (2004) to pursue its undertakings as provided for in the first trimestrial programme of work approved by the Committee on 22 April 2005. The Council welcomes the submission by 113 Member States so far of reports on steps they have taken or intend to take to implement resolution 1540 (2004), and calls upon States that have not yet submitted a report to do so as soon as possible. The Council welcomes the recruitment of experts of the Committee, and notes that they have begun to support the Committee in the consideration of the first reports submitted by Member States pursuant to resolution 1540 (2004).

"The Council invites the three Committees to continue reporting on their activities at regular intervals and, where appropriate, in a coordinated manner."

At its 5229th meeting, on 20 July 2005, the Council decided to invite the representatives of Australia, Cuba, India, Israel, Liechtenstein, New Zealand, Peru, Switzerland, the Syrian Arab

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[302] S/2005/266, annex.

Republic and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled:

"Briefings by Chairman of subsidiary bodies of the Security Council

"Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

"Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

"Security Council Committee established pursuant to resolution 1540 (2004)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Ellen Margrethe Løj, Chairperson of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, Mr. César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, and Mr. Mihnea Ioan Motoc, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

Upon resumption of the meeting, on 20 July 2005, the Council also decided to invite the representative of Pakistan to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[303]

"The Security Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed. The Council reiterates its condemnation of the Al-Qaida network and other terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing death and destruction of property, and undermining stability. The Council also reaffirms that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security, and recalls its grave concern about the risk posed by non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical and biological weapons and their means of delivery.

"The Council reiterates its call upon all Member States to become parties to all 12 international conventions against terrorism, and in this context draws attention to the treaty event being held in New York in September, and encourages Member States to take that opportunity also to sign the International Convention for the Suppression of Acts of Nuclear Terrorism.[301] The Council calls upon Member States to cooperate on an expedited basis to resolve all outstanding issues, with a view to adopting the draft comprehensive convention on international terrorism.

"The Council urges all States to cooperate to bring to justice, in accordance with the principle of extradite or prosecute, the perpetrators, organizers and sponsors of acts of terrorism. Recent events, as condemned by the Council in its resolution 1611 (2005) and the statement by its President of 8 July 2005,[304] stress the urgency and necessity of redoubling efforts to combat terrorism.

"The Council welcomes the briefings by the Chairmen of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, the Security Council Committee established pursuant to resolution 1373 (2001) on counter-terrorism and the Security Council Committee established pursuant to resolution 1540 (2004), on the work of the three Committees. The Council reaffirms the importance and the urgency it attaches to the implementation of the provisions of the resolutions relevant to the three Committees, as well as to the fulfilment of the mandates of the three Committees. The Council therefore strongly encourages Member States as well as the respective Committees to redouble their efforts to seek ways to further strengthen the implementation of resolutions 1267 (1999), 1373 (2001) and 1540 (2004), in accordance with the provisions of these and other relevant resolutions.

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[303] S/PRST/2005/34.

[304] S/PRST/2005/29.

"The Council reaffirms its call for enhanced cooperation among the three Committees, as well as their respective group of experts, in monitoring implementation by States of the provisions of the relevant Council resolutions, with due respect for their different mandates, including through enhanced information sharing, coordinated response to late submission of reports by States to the three Committees, and other issues of relevance to the three Committees. The Council also invites the three Committees to continue cooperation with the working group established pursuant to resolution 1566 (2004).

"The Council urges Member States to redouble their efforts to implement the provisions of the resolutions relevant to the work of the three Committees. While reaffirming that the responsibility for implementing the provisions of these resolutions rests with the States, the Council encourages States to seek the necessary assistance to ensure that the necessary capacity to implement the resolutions is available.

"The Council reiterates that relevant international, regional and subregional organizations can play a crucial role in supporting the goals of these resolutions, raising awareness of their importance, and helping their members implement them. The Council encourages such organizations, as or when proposed by the relevant Committee, where appropriate, to provide the necessary technical assistance. Moreover, the Council encourages its Counter-Terrorism Committee, its Al-Qaida/Taliban Sanctions Committee, and, when appropriate its Committee established pursuant to resolution 1540 (2004), as well as relevant organizations, to enhance cooperation with a view to identifying, promoting, and developing, as appropriate, best practices to provide clarity and guidance to States on the implementation of the provisions of the relevant resolutions.

"The Council encourages Member States in a position to do so to make technical assistance available on a priority basis.

"The Council invites the three Committees to continue reporting on their activities at regular intervals and, where appropriate, in a coordinated manner."

LETTER DATED 31 MARCH 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF PAPUA NEW GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL[305]

Decisions

On 23 December 2004, the President of the Security Council addressed the following letter to the Secretary-General:[306]

"I have the honour to inform you that your letter dated 21 December 2004 concerning your recommendation to extend the mandate of the United Nations Observer Mission in

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[305] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[306] S/2004/1016.

Bougainville for a period of six months, until 30 June 2005,[307] has been brought to the attention of the members of the Security Council. They take note of the recommendation and information contained in your letter. The Security Council also requests that the Secretary-General present a report to the Council within three months on an assessment of the ground situation and on a mission-closure plan."

At its 5201st meeting, on 15 June 2005, the Council decided to invite the representative of Papua New Guinea to participate, without vote, in the discussion of the item entitled "Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council (S/1998/287)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[308]

> "The Security Council welcomes the first general elections for the president and members of the House of Representatives of the Autonomous Region of Bougainville held from 20 May through 9 June 2005, and considers that they were competently and transparently conducted, as noted by the international observer team. The Council congratulates the Autonomous Bougainville Government and the people of Bougainville on this achievement, and takes note that these elections, which reflect the expressed will of the people of Bougainville, mark a significant and historical landmark in the Bougainville peace process and make it possible to enter into a new stage for further implementation of the Bougainville Peace Agreement.
>
> "The Council further welcomes the inauguration of the Autonomous Bougainville Government in its full capacity, and affirms its continuing support for the people of Bougainville.
>
> "The Council urges those who did not participate in the electoral process to respect the outcome of the elections and support without delay the Autonomous Bougainville Government in its peacebuilding efforts.
>
> "The Council pays tribute to the efforts of the Government of Papua New Guinea and the Bougainville leaders for fully implementing the Bougainville Peace Agreement. The Council commends the support by the international community, in particular the significant contributions made by the countries in the region, partners in the donor community, as well as the United Nations. The Council also expresses its appreciation for the commendable role played by the Commonwealth and the Pacific Islands Forum in dispatching electoral observers for the smooth conduct of the elections.
>
> "The Council notes with satisfaction that the performance of the United Nations Observer Mission in Bougainville, as well as that of its preceding United Nations Political Office in Bougainville, demonstrated that a small United Nations special political mission with a clearly defined mandate can make a critical contribution to a regional conflict resolution effort in an efficient and effective manner.
>
> "The Council encourages the ongoing support and commitment by the international community to the efforts made by the Government of Papua New Guinea and the people of Bougainville in pursuit of their economic and social development as well as sustainable peace in the region."

At its 5222nd meeting, on 6 July 2005, the Council decided to invite the representatives of Australia, New Zealand and Papua New Guinea to participate, without vote, in the discussion of the item entitled "Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent

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[307] S/2004/1015.

[308] S/PRST/2005/23.

Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council (S/1998/287)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

THE SITUATION IN GEORGIA[309]

Decision

At its 5116th meeting, on 28 January 2005, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2005/32)".

Resolution 1582 (2005)
of 28 January 2005

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1554 (2004) of 29 July 2004,

Welcoming the report of the Secretary-General of 17 January 2005,[310]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe held in Lisbon in December 1996[311] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[312]

Deploring the fact that the perpetrators of the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001, which resulted in the death of nine people on board, have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Welcoming, however, the positive momentum given to the United Nations-led peace process by regular high-level meetings of the Group of Friends of the Secretary-General in Geneva and the Georgian-Russian summit meetings,

Welcoming also the important contributions made by the Mission and the collective peacekeeping force of the Commonwealth of Independent States in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

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[309] Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.

[310] S/2005/32.

[311] S/1997/57, annex.

[312] General Assembly resolution 49/59, annex.

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and the necessity to define the status of Abkhazia within the State of Georgia in strict accordance with these principles;

2. *Commends and strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator as well as of the Group of Friends of the Secretary-General and of the Organization for Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Reiterates its strong support* for the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and for its letter of transmittal, finalized by, and with the full support of, all members of the Group of Friends;

4. *Deeply regrets* the continuing refusal of the Abkhaz side to agree to a discussion on the substance of that document, again strongly urges the Abkhaz side to receive the document and its letter of transmittal, urges both parties thereafter to give them full and open consideration and to engage in constructive negotiations on their substance, and urges those having influence with the parties to promote this outcome;

5. *Regrets* the lack of progress on the initiation of political status negotiations, and recalls, once again, that the purpose of those documents is to facilitate meaningful negotiations between the parties, under the leadership of the United Nations, on the status of Abkhazia within the State of Georgia, and is not an attempt to impose or dictate any specific solution to the parties;

6. *Notes* its position on Abkhaz elections as expressed in its resolution 1255 (1999) of 30 July 1999;

7. *Calls upon* both sides to participate in constructive negotiations towards a political settlement of the conflict and to spare no efforts to overcome their ongoing mutual mistrust, and underlines the fact that the process of negotiation leading to a lasting political settlement acceptable to both sides will require concessions from both sides;

8. *Welcomes* the commitment by the Georgian side to a peaceful resolution of the conflict, and calls upon both parties further to publicly dissociate themselves from all militant rhetoric and demonstrations of support for military options;

9. *Reminds* all concerned to refrain from any action that might impede the peace process;

10. *Welcomes* the convening of regular meetings of senior representatives of the Group of Friends and the United Nations in Geneva, and encourages both sides to participate actively in the next meeting;

11. *Urges* the parties to participate in a more active, regular and structured manner in the task forces established in the first Geneva meeting (to address issues in the priority areas of economic cooperation, the return of internally displaced persons and refugees, and political and security matters) and complemented by the working groups established in Sochi, Russian Federation, in March 2003, and reiterates that results-oriented activities in these three priority areas remain key to building common ground between the Georgian and Abkhaz sides and ultimately for concluding meaningful negotiations on a comprehensive political settlement based on the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its letter of transmittal;

12. *Encourages* the sides, in that respect, to continue their discussion on security guarantees with the participation of the Group of Friends;

13. *Calls again upon* the parties to take concrete steps to revitalize the peace process in all its major aspects, including their work in the Coordinating Council and its relevant mechanisms, to build on the results of the third meeting on confidence-building measures between the Georgian and Abkhaz sides, held in Yalta, Ukraine, on 15 and 16 March 2001,[313] and to implement the proposals agreed on that occasion in a purposeful and cooperative manner, with a view to holding a fourth meeting on confidence-building measures, and welcomes the intention expressed by Germany to host such a meeting pending progress in the conflict resolution process;

14. *Notes* that contacts at the level of civil society can reinforce mutual confidence, and calls upon both sides to facilitate such contacts;

15. *Stresses* the urgent need for progress on the question of the refugees and internally displaced persons, calls upon both sides to display a genuine commitment to make returns the focus of special attention and to undertake this task in close coordination with the United Nations Observer Mission in Georgia and in consultation with the Office of the United Nations High Commissioner for Refugees, and the Group of Friends;

16. *Calls for* the rapid finalization and signature of the letter of intent on returns proposed by the Special Representative of the Secretary-General, and welcomes the meetings, with the participation of the Special Representative and the Office of the High Commissioner of the Sochi working group on refugees and internally displaced persons;

17. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994[314] and the Yalta Declaration;[313]

18. *Recalls* that the Abkhaz side bears a particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population;

19. *Welcomes* the continuing activities of the United Nations Development Programme in the Gali, Ochamchira and Tkvarcheli districts and the opening of offices by the United Nations Development Programme in Sukhumi and Gali;

20. *Urges* the parties, once again, to implement the recommendations of the joint assessment mission of November 2000 to the Gali sector,[315] regrets that there has been no progress to that effect despite the positive consideration by the parties given to those recommendations in the first Geneva meeting, and calls again upon the Abkhaz side to agree to the opening as soon as possible of the Gali branch of the human rights office in Sukhumi and to provide security conditions for its unhindered functioning;

21. *Reiterates its concern* that despite the start of the deployment of a civilian police component as part of the Mission, as endorsed in resolution 1494 (2003) of 30 July 2003, and agreed upon by the parties, the deployment of the remaining officers in the Gali sector is still outstanding, and calls upon the Abkhaz side to allow for a swift deployment of the police component in that region;

22. *Calls in particular upon* the Abkhaz side to improve law enforcement involving the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

23. *Welcomes* the measures taken by the Georgian side to put an end to the activities of illegal armed groups, and encourages the maintenance of these efforts;

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[313] S/2001/242, annex.

[314] S/1994/397, annex II.

[315] See S/2001/59, annex II.

24. *Condemns* any violations of the provisions of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994;[316]

25. *Welcomes* the continuing relative calm in the Kodori Valley, and condemns the killings and abductions of civilians in the Gali district;

26. *Urges* the parties to abide by the provisions of the protocols on security issues in the Gali district signed on 8 October 2003[317] and 19 January 2004, to continue their regular meetings and to cooperate more closely with each other to improve security in the Gali sector, and takes note of the resumption of Abkhaz participation in the quadripartite meetings and the Joint Investigation Group;

27. *Reiterates its call upon* the Georgian side to provide comprehensive security guarantees to allow for independent and regular monitoring of the situation in the upper Kodori Valley by joint patrols of the Mission and the collective peacekeeping force of the Commonwealth of Independent States;

28. *Underlines* the fact that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the collective peacekeeping force and other international personnel;

29. *Strongly condemns*, in that respect, the repeated abductions of personnel of those missions in the past, deeply deplores the fact that none of the perpetrators have ever been identified or brought to justice, reiterates that it is the responsibility of the parties to end this impunity, and calls upon them to take action;

30. *Calls upon* the parties, once again, to take all necessary steps to identify those responsible for the shooting down of a Mission helicopter on 8 October 2001, to bring them to justice, and to inform the Special Representative of the steps taken in particular in the criminal investigation;

31. *Decides* to extend the mandate of the Mission for a new period terminating on 31 July 2005, subject to a review, as appropriate, of its mandate by the Council in the event of changes in the mandate of the collective peacekeeping force;

32. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

33. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5116th meeting.

Decisions

At its 5144th meeting, held in private on 21 March 2005, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5144th meeting, held in private on 21 March 2005, the Security Council considered the item entitled 'The situation in Georgia'.
>
> "The President, with the consent of the Council, invited the representatives of Georgia and Germany to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the Council's provisional rules of procedure.

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[316] S/1994/583 and Corr.1, annex I.

[317] See S/2003/1019, para. 10.

"The President, with the consent of the Council, extended an invitation under rule 39 of the Council's provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

"The members of the Council heard a briefing by Mr. Guéhenno.

"The representative of Georgia made a statement."

At its 5174th meeting, held in private on 4 May 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5174th meeting, held in private on 4 May 2005, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited the representatives of Azerbaijan, Georgia and Germany to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the Council's provisional rules of procedure.

"The Special Envoy of the President of Georgia, Mr. Irakli Alasania, made a statement."

At its 5238th meeting, held in private on 27 July 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5238th meeting, held in private on 27 July 2005, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited the representatives of Georgia and Germany to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the Council's provisional rules of procedure.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the Council's provisional rules of procedure to Ms. Heidi Tagliavini, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.

"The members of the Council heard a briefing by Ms. Tagliavini.

"The Special Envoy of the President of Georgia, Mr. Irakli Alasania, made a statement."

At its 5242nd meeting, on 29 July 2005, the Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2005/453)".

Resolution 1615 (2005)
of 29 July 2005

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1582 (2005) of 28 January 2005, *Welcoming* the report of the Secretary-General of 13 July 2005,[318]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe held in Lisbon in December 1996[311] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[312]

Deploring the fact that the perpetrators of the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001, which resulted in the death of nine people on board, have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Welcoming, however, the positive momentum given to the United Nations-led peace process by regular high-level meetings of the Group of Friends of the Secretary-General in Geneva and the Georgian-Russian summit meetings,

Welcoming also the important contributions made by the Mission and the collective peacekeeping force of the Commonwealth of Independent States in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and the necessity to define the status of Abkhazia within the State of Georgia in strict accordance with these principles;

2. *Commends and strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator as well as of the Group of Friends of the Secretary-General and of the Organization for Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Reiterates its strong support* for the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and for its letter of transmittal, finalized by, and with the full support of, all members of the Group of Friends;

4. *Deeply regrets* the continuing refusal of the Abkhaz side to agree to a discussion on the substance of that document, again strongly urges the Abkhaz side to receive the document and its letter of transmittal, urges both parties thereafter to give them full and open consideration and to engage in constructive negotiations on their substance, and urges those having influence with the parties to promote this outcome;

5. *Regrets* the lack of progress on the initiation of political status negotiations, and recalls, once again, that the purpose of those documents is to facilitate meaningful negotiations between the parties, under the leadership of the United Nations, on the status of Abkhazia within the State of Georgia, and is not an attempt to impose or dictate any specific solution to the parties;

6. *Calls upon* both sides to participate in constructive negotiations towards a political settlement of the conflict and to spare no efforts to overcome their ongoing mutual mistrust, and underlines the fact that the process of negotiation leading to a lasting political settlement acceptable to both sides will require concessions from both sides;

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[318] S/2005/453.

7. *Welcomes* the commitment by the Georgian side to a peaceful resolution of the conflict, and calls upon both parties further to publicly dissociate themselves from all militant rhetoric and demonstrations of support for military options;

8. *Reminds* all concerned to refrain from any action that might impede the peace process;

9. *Welcomes* the convening of regular meetings of senior representatives of the Group of Friends and the United Nations in Geneva as well as the participation of both sides in the last meeting, held on 7 and 8 April 2005, and the commitments expressed by the parties during this meeting,[319] and strongly urges both sides to continue to participate constructively in future meetings;

10. *Urges* the parties to participate in a more active, regular and structured manner in the task forces established in the first Geneva meeting (to address issues in the priority areas of economic cooperation, the return of internally displaced persons and refugees, and political and security matters) and complemented by the working groups established in Sochi, Russian Federation, in March 2003, and reiterates that results-oriented activities in these three priority areas remain key to building common ground between the Georgian and Abkhaz sides and ultimately for concluding meaningful negotiations on a comprehensive political settlement based on the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its letter of transmittal;

11. *Regrets* the cancellation of the meeting on security guarantees planned for July 2005, and expects that such a meeting with the full participation of both sides will be held as soon as possible;

12. *Welcomes* the signing on 12 May 2005 of a Protocol with measures to strengthen the implementation of the Agreement on Ceasefire and Separation of Forces signed in Moscow on 14 May 1994,[316]

13. *Calls again upon* the parties to take concrete steps to revitalize the peace process in all its major aspects, including their work in the Coordinating Council and its relevant mechanisms, to build on the results of the third meeting on confidence-building measures between the Georgian and Abkhaz sides, held in Yalta, Ukraine, on 15 and 16 March 2001,[313] and to implement the proposals agreed on that occasion in a purposeful and cooperative manner, with a view to holding a fourth meeting on confidence-building measures, and welcomes the intention expressed by Germany to host such a meeting pending progress in the conflict resolution process;

14. *Welcomes* the positive developments towards the reopening of the railways between Sochi and Tbilisi and towards the return of refugees and internally displaced persons;

15. *Notes* that contacts at the level of civil society can reinforce mutual confidence, and calls upon both sides to facilitate such contacts;

16. *Stresses* the urgent need for progress on the question of the refugees and internally displaced persons, calls upon both sides to display a genuine commitment to make returns the focus of special attention and to undertake this task in close coordination with the United Nations Observer Mission in Georgia and in consultation with the Office of the United Nations High Commissioner for Refugees and the Group of Friends;

17. *Calls for* the rapid finalization and signature of the letter of intent on returns proposed by the Special Representative of the Secretary-General, and welcomes the meetings with the participation of the Special Representative and the Office of the High Commissioner of the Sochi working group on refugees and internally displaced persons;

18. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, reaffirms also the inalienable rights of all refugees and internally displaced persons affected by the

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[319] See S/2005/269, paras. 10-12.

conflict, and stresses that they have the right to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement of 4 April 1994[314] and the Yalta Declaration;[313]

19. *Recalls* that the Abkhaz side bears a particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population;

20. *Welcomes* the continuing activities of the United Nations Development Programme in the Gali, Ochamchira and Tkvarcheli districts and the opening of offices by the United Nations Development Programme in Sukhumi and Gali;

21. *Urges* the parties once again to implement the recommendations of the joint assessment mission of November 2000 to the Gali sector,[315] regrets that there has been no progress to that effect despite the positive consideration by the parties given to those recommendations in the first Geneva meeting, and calls again upon the Abkhaz side to agree to the opening as soon as possible of the Gali branch of the human rights office in Sukhumi and to provide security conditions for its unhindered functioning;

22. *Reiterates its concern* that despite the start of the deployment of a civilian police component as part of the Mission, as endorsed in resolution 1494 (2003) of 30 July 2003 and agreed upon by the parties, the deployment of the remaining officers in the Gali sector is still outstanding, and calls upon the Abkhaz side to allow for a swift deployment of the police component in that region;

23. *Calls in particular upon* the Abkhaz side to improve law enforcement protection of the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

24. *Welcomes* the measures taken by the Georgian side to put an end to the activities of illegal armed groups, and encourages the maintenance of these efforts;

25. *Condemns* any violations of the provisions of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994;[316]

26. *Welcomes* the continuing relative calm in the Kodori Valley, and condemns the continuing criminal activities, including killings and abductions of civilians, in the Gali and Zugdidi districts;

27. *Urges* the parties to abide by the provisions of the protocols on security issues in the Gali district signed on 8 October 2003[317] and 19 January 2004, to continue their regular meetings and to cooperate more closely with each other to improve security in the Gali sector, and takes note of the resumption of Abkhaz participation in the quadripartite meetings and the Joint Investigation Group;

28. *Reiterates its call upon* the Georgian side to provide comprehensive security guarantees to allow for independent and regular monitoring of the situation in the upper Kodori Valley by joint patrols of the Mission and the peacekeeping force of the Commonwealth of Independent States;

29. *Underlines* the fact that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the collective peacekeeping force and other international personnel, and calls upon both sides to fulfil their obligations in this regard;

30. *Strongly condemns*, in that respect, the repeated abductions of personnel of those missions in the past, deeply deplores the fact that none of the perpetrators have ever been identified or brought to justice, reiterates that it is the responsibility of the parties to end this impunity, and calls upon them to take action;

31. *Calls upon* the parties, once again, to take all necessary steps to identify those responsible for the shooting down of a Mission helicopter on 8 October 2001, to bring them to

justice, and to inform the Special Representative of the steps taken in particular in the criminal investigation;

32. *Welcomes* the efforts being undertaken by the Mission to implement the zero tolerance policy of the Secretary-General on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

33. *Decides* to extend the mandate of the Mission for a new period terminating on 31 January 2006, subject to a review, as appropriate, of its mandate by the Council in the event of changes in the mandate of the collective peacekeeping force;

34. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

35. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5242nd meeting.

SMALL ARMS[320]

Decisions

At its 5127th meeting, on 17 February 2005, the Security Council decided to invite the representatives of Australia, Canada, Costa Rica, Egypt, India, Indonesia, Luxembourg, Mexico, Nigeria, Norway, Peru, the Republic of Korea, the Republic of Moldova, Senegal, South Africa, Switzerland, Turkey, Ukraine, Venezuela (Bolivarian Republic of) and Zambia to participate, without vote, in the discussion of the item entitled:

"Small arms

"Report of the Secretary-General on small arms (S/2005/69)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs.

Upon resumption of the meeting, on 17 February 2005, the Council further decided to invite the representative of Mali to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[321]

> "The Security Council welcomes the report of the Secretary-General of 7 February 2005 on the implementation of his recommendations to the Council on small arms,[322] and

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[320] Resolutions or decisions on this question have been adopted by the Security Council in 1999, 2001, 2002 and during the period from 1 January to 31 July 2004.

[321] S/PRST/2005/7.

[322] S/2005/69.

reaffirms the statements by its President of 24 September 1999,[323] 31 August 2001,[324] 31 October 2002[325] and 19 January 2004.[326]

"The Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. In this regard, the Council recognizes that the dissemination of illicit small arms and light weapons has hampered the peaceful settlement of disputes, fuelled such disputes into armed conflicts and contributed to the prolongation of such armed conflicts. The Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs.

"The Council encourages the arms-exporting countries to exercise the highest degree of responsibility in small arms and light weapons transactions according to their existing responsibilities under relevant international law. It also encourages international and regional cooperation in identifying the origin and transfer of small arms and light weapons in order to prevent their diversion, in particular, to Al-Qaida and other terrorist groups. The Council welcomes the significant steps that have been taken by Member States and international and regional organizations in this regard. The obligation of Member States to enforce the arms embargo should be coupled with enhanced international and regional cooperation concerning arms exports. The Council encourages Members to undertake vigorous actions aimed at restricting the supply of small arms, light weapons and ammunitions to areas of instability.

"The Council takes note that the United Nations Second Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects will be held from 11 to 15 July 2005, and encourages Member States to fully cooperate with the Chair of the Meeting to have a successful outcome.

"The Council notes with appreciation that regional actions on illicit trade in small arms and light weapons in all its aspects have been strengthened in recent years, and encourages the continuation of assistance at the national, regional and international levels that would fit the needs of Member States to implement the recommendations contained in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[327] adopted on 20 July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

"The Council welcomes the ongoing efforts by the open-ended working group established by the General Assembly in resolution 58/241 of 23 December 2003 to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, and calls upon all Member States to support all efforts aimed at this purpose. It expresses the wish that the ongoing work within the group will lead to a positive conclusion at its third session as scheduled.

"The Council welcomes the adoption by the General Assembly of resolution 59/86 of 3 December 2004 in which, among other things, it requested the Secretary-General to continue broad-based consultations on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, with a view to establishing a group of governmental experts to consider the issue.

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[323] S/PRST/1999/28.

[324] S/PRST/2001/21.

[325] S/PRST/2002/30.

[326] S/PRST/2004/1.

[327] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 4.

"The Council welcomes the inclusion of man-portable air defence systems, on an exceptional basis, in the United Nations Register on Conventional Arms.

"The Council further encourages Member States that have not already done so to establish the necessary legislative or other measures, including the use of authenticated end-user certificates, to ensure effective control over the export and transit of small arms and light weapons.

"The Council renews the support given to the plan of the Economic Community of West African States to strengthen the moratorium signed in Abuja on 31 October 1998 on the import, export and manufacture of small arms and light weapons, and to replace it with a mandatory convention. It welcomes the decision by the European Council on 2 December 2004 to significantly support this initiative, and calls upon all States and organizations in a position to do so to support this endeavour.

"The Council calls upon all Member States to enforce all Council resolutions on sanctions, including those imposing arms embargoes, in accordance with the Charter, and to bring their own domestic implementation into compliance with the Council's measures on sanctions. The Council calls upon all Member States to continue to make available to the sanctions committees all pertinent information on any alleged violations of arms embargoes and to take appropriate measures to investigate such allegations. The Council urges Member States in a position to do so to provide assistance to interested States in strengthening their capacity to fulfil their obligations in this regard.

"The Council underlines the fact that the issue of the illicit trade in small arms and light weapons must be addressed together with the disarmament, demobilization and reintegration process in the post-conflict phases. The Council recognizes that disarmament, demobilization and reintegration is closely linked with long-term peace and security in a post-conflict situation, and recalls that a growing number of peacekeeping missions contain the disarmament, demobilization and reintegration element as part of their mandate. In this regard, the Council stresses the importance of a comprehensive international and regional approach to disarmament, demobilization and reintegration that is not limited to the political and security aspects of disarmament, demobilization and reintegration of former combatants, but addresses also its social and economic aspects, including special needs of child soldiers and women.

"The Council, while bearing in mind that the issue of the illicit small arms and light weapons has a multidisciplinary nature, encourages Member States, in a position to do so, to provide assistance and support to the United Nations Coordinating Action on Small Arms mechanism.

"The Council continues to recognize the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes and to the wider objective of preventing illicit trafficking of small arms and light weapons.

"The Council requests the Secretary-General to update the Council on 28 February 2006 for its earliest possible consideration of the implementation of all the recommendations contained in his report of 20 September 2002 on small arms.[328]"

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[328] S/2002/1053.

CHILDREN AND ARMED CONFLICT[329]

Decisions

At its 5129th meeting, on 23 February 2005, the Security Council decided to invite the representatives of Canada, Gabon, Guinea, Iceland, India, Iraq, Liechtenstein, Luxembourg, Myanmar, Nigeria, Norway, Senegal, Sri Lanka and Uganda to participate, without vote, in the discussion of the item entitled:

"Children and armed conflict

"Report of the Secretary-General on children and armed conflict (S/2005/72)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Rima Salah, Deputy Executive Director of the United Nations Children's Fund, and Mr. Ibrahima Diouf, Special Adviser on Child Protection to the Executive Secretary of the Economic Community of West African States.

Upon resumption of the meeting, on 23 February 2005, the Council further decided to invite the representatives of Indonesia, Mali and Niger to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[330]

> "The Security Council considered the matter of children and armed conflict and took note with deep concern of the continued recruitment and use of children by parties to armed conflict in violation of international obligations applicable to them, as reported by the Secretary-General in his fifth report.[331] It reiterates its commitment to address in all its forms the impact of armed conflict on children.
>
> "The Council reaffirms its strong condemnation of the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them and of all other violations and abuses committed against children in situations of armed conflict. It urges all parties to armed conflict to halt immediately such intolerable practices.
>
> "The Council recalls all its previous resolutions, which provide a comprehensive framework for addressing the protection of children affected by armed conflict. It reiterates its determination to ensure respect for its resolutions and other international norms and standards for the protection of children affected by armed conflict.
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> "The Council recalls, in particular, paragraph 2 of its resolution 1539 (2004) of 22 April 2004, requesting the Secretary-General, taking into account the proposals contained in his report as well as any other relevant elements, to devise urgently an action plan for a systematic and comprehensive monitoring and reporting mechanism, which utilizes expertise from the United Nations system and the contributions of national Governments, regional organizations, non-governmental organizations in their advisory capacity and various civil society actors, in order to provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children affected by armed conflict, for consideration in taking appropriate action.

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[329] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[330] S/PRST/2005/8.

[331] S/2005/72.

"The Council takes note of the Secretary-General's proposal for an action plan for the establishment of a monitoring, reporting and compliance mechanism,[332] in accordance with the request and with paragraph 15 (*b*) of resolution 1539 (2004) and has started consideration of the Secretary-General's proposal.

"The Council reiterates the crucial need for a systematic and comprehensive monitoring and reporting mechanism, and its determination to ensure compliance and to put an end to impunity. The Council further reiterates its intention to complete expeditiously the process of the establishing the mechanism.

"In this regard, it has started work on a new resolution with the aim of its early adoption and with due consideration of views expressed by the States Members of the United Nations during the open debate of 23 February 2005, in order to take forward the implementation of its previous resolutions with a view to ending the recruitment or use of child soldiers in violation of applicable international law and other violations and abuses committed against children affected by armed conflict situations, and promoting their reintegration and rehabilitation."

At its 5235th meeting, on 26 July 2005, the Council considered the item entitled:

"Children and armed conflict

"Report of the Secretary-General on children and armed conflict (S/2005/72)".

Resolution 1612 (2005)
of 26 July 2005

The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004, which contribute to a comprehensive framework for addressing the protection of children affected by armed conflict,

Noting the advances made for the protection of children affected by armed conflict, particularly in the areas of advocacy and the development of norms and standards, while remaining deeply concerned over the lack of overall progress on the ground, where parties to conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict,

Stressing the primary role of national Governments in providing effective protection and relief to all children affected by armed conflict,

Recalling the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children,

Convinced that the protection of children in armed conflict should be regarded as an important aspect of any comprehensive strategy to resolve conflict,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Stressing its determination to ensure respect for its resolutions and other international norms and standards for the protection of children affected by armed conflict,

Having considered the report of the Secretary-General of 9 February 2005,[331] and stressing that the present resolution does not seek to make any legal determination as to whether situations which are referred to in the report of the Secretary-General are or are not armed conflicts within the context of the Geneva Conventions of 1949[333] and the Additional Protocols thereto, of 1977,[334] nor does it prejudge the legal status of the non-State parties involved in these situations,

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[332] Ibid., sect. III.

Gravely concerned by the documented links between the use of child soldiers in violation of applicable international law and the illicit trafficking of small arms and light weapons, and stressing the need for all States to take measures to prevent and to put an end to such trafficking,

1. *Strongly condemns* the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them and all other violations and abuses committed against children in situations of armed conflict;

2. *Takes note* of the action plan presented by the Secretary-General relating to the establishment of a monitoring and reporting mechanism on children and armed conflict,[332] as called for in paragraph 2 of its resolution 1539 (2004) and, in this regard:

(*a*) Underlines the fact that the mechanism is to collect and provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children affected by armed conflict, and will report to the working group to be created in accordance with paragraph 8 below;

(*b*) Underlines further the fact that this mechanism must operate with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level;

(*c*) Stresses that all actions undertaken by United Nations entities within the framework of the monitoring and reporting mechanism must be designed to support and supplement, as appropriate, the protection and rehabilitation roles of national Governments;

(*d*) Also stresses that any dialogue established under the framework of the monitoring and reporting mechanism by United Nations entities with non-State armed groups in order to ensure protection for and access to children must be conducted in the context of peace processes, where they exist, and the cooperation framework between the United Nations and the concerned Government;

3. *Requests* the Secretary-General to implement, without delay, the above-mentioned monitoring and reporting mechanism, beginning with its application, within existing resources, in close consultation with countries concerned, to parties in situations of armed conflict listed in the annexes to the report of the Secretary-General[331] that are on the agenda of the Security Council, and then, in close consultation with countries concerned, to apply it to parties in other situations of armed conflict listed in those annexes, bearing in mind the discussion of the Council and the views expressed by Member States, in particular during the annual debate on children and armed conflict, and also taking into account the findings and recommendations of an independent review on the implementation of the mechanism to be reported to the Council by 31 July 2006. The independent review will include:

(*a*) An assessment of the overall effectiveness of the mechanism, as well as the timeliness, accuracy, objectivity and reliability of the information compiled through the mechanism;

(*b*) Information on how effectively the mechanism is linked to the work of the Security Council and other organs of the United Nations;

(*c*) Information on the relevance and clarity of the division of responsibilities;

(*d*) Information on the budgetary and other resource implications for United Nations actors and voluntary funded organizations contributing to the mechanism;

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[333] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[334] Ibid., vol. 1125, Nos. 17512 and 17513.

(*e*) Recommendations for the full implementation of the mechanism;

4. *Stresses* that the implementation of the monitoring and reporting mechanism by the Secretary-General will be undertaken only in the context of and for the specific purpose of ensuring the protection of children affected by armed conflict and shall not thereby prejudge or imply a decision by the Security Council as to whether or not to include a situation in its agenda;

5. *Welcomes* the initiatives taken by the United Nations Children's Fund and other United Nations entities to gather information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children in situations of armed conflict, and invites the Secretary-General to take due account of these initiatives during the initial phase of implementation of the mechanism referred to in paragraph 3 above;

6. *Notes* that information compiled by this mechanism, for reporting by the Secretary-General to the General Assembly and the Security Council, may be considered by other international, regional and national bodies, within their mandates and the scope of their work, in order to ensure the protection, rights and well-being of children affected by armed conflict;

7. *Expresses serious concern* regarding the lack of progress in development and implementation of the action plans called for in paragraph 5 (*a*) of its resolution 1539 (2004), and, pursuant to this, calls upon the parties concerned to develop and implement action plans without further delay, in close collaboration with United Nations peacekeeping missions and United Nations country teams, consistent with their respective mandates and within their capabilities, and requests the Secretary-General to provide criteria to assist in the development of such action plans;

8. *Decides* to establish a working group of the Security Council consisting of all members of the Council to review the reports of the mechanism referred to in paragraph 3 above, to review progress in the development and implementation of the action plans mentioned in paragraph 7 above, and to consider other relevant information presented to it, and decides further that the working group shall:

(*a*) Make recommendations to the Council on possible measures to promote the protection of children affected by armed conflict, including through recommendations on appropriate mandates for peacekeeping missions and recommendations with respect to the parties to the conflict;

(*b*) Address requests, as appropriate, to other bodies within the United Nations system for action to support implementation of the present resolution in accordance with their respective mandates;

9. *Recalls* paragraph 5 (*c*) of its resolution 1539 (2004), and reaffirms its intention to consider imposing, through country-specific resolutions, targeted and graduated measures, such as, inter alia, a ban on the export and supply of small arms and light weapons and of other military equipment and on military assistance, against parties to situations of armed conflict that are on the agenda of the Security Council and are in violation of applicable international law relating to the rights and protection of children in armed conflict;

10. *Stresses* the responsibility of United Nations peacekeeping missions and United Nations country teams, consistent with their respective mandates, to ensure effective follow-up to Council resolutions, ensure a coordinated response to concerns regarding children and armed conflict and to monitor and report to the Secretary-General;

11. *Welcomes* the efforts undertaken by United Nations peacekeeping operations to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of their personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of misconduct involving their personnel;

12. *Decides* to continue the inclusion of specific provisions for the protection of children in the mandates of United Nations peacekeeping operations, including the deployment, on a case-by-case basis, of child-protection advisers, requests the Secretary-General to ensure that the need for and the number and roles of child-protection advisers are systematically assessed during the preparation for each United Nations peacekeeping operation, and welcomes the comprehensive assessment undertaken on the role and activities of child-protection advisers, with a view to lessons learned and best practices;

13. *Welcomes* recent initiatives by regional and subregional organizations and arrangements for the protection of children affected by armed conflict, and encourages continued mainstreaming of child protection into their advocacy, policies and programmes; development of peer review and monitoring and reporting mechanisms; establishment, within their secretariats, of child-protection mechanisms; inclusion of child-protection staff and training in their peace and field operations; subregional and interregional initiatives to end activities harmful to children in times of conflict, in particular cross-border recruitment and abduction of children, illicit movement of small arms, and illicit trade in natural resources through the development and implementation of guidelines on children and armed conflict;

14. *Calls upon* all parties concerned to ensure that the protection, rights and well-being of children affected by armed conflict are specifically integrated into all peace processes, peace agreements and post-conflict recovery and reconstruction planning and programmes;

15. *Also calls upon* all parties concerned to abide by the international obligations applicable to them relating to the protection of children affected by armed conflict, as well as the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund and other agencies of the United Nations system, and to cooperate fully with the United Nations peacekeeping missions and United Nations country teams, where appropriate, in the context of the cooperation framework between the United Nations and the concerned Government, in the follow-up to and implementation of those commitments;

16. *Urges* Member States, United Nations entities, regional and subregional organizations and other parties concerned, to take appropriate measures to control illicit subregional and cross-border activities harmful to children, including illicit exploitation of natural resources, illicit trade in small arms, abduction of children and their use and recruitment as soldiers, as well as other violations and abuses committed against children in situations of armed conflict in violation of applicable international law;

17. *Urges* all parties concerned, including Member States, United Nations entities and financial institutions, to support the development and strengthening of the capacities of national institutions and local civil society networks for the advocacy, protection and rehabilitation of children affected by armed conflict to ensure the sustainability of local child-protection initiatives;

18. *Requests* that the Secretary-General direct all relevant United Nations entities to take specific measures, within existing resources, to ensure systematic mainstreaming of issues concerning children and arm conflict within their respective institutions, including by ensuring allocation of adequate financial and human resources towards the protection of war-affected children within all relevant offices and departments and on the ground, as well as to strengthen, within their respective mandates, their cooperation and coordination when addressing the protection of children in armed conflict;

19. *Reiterates its request* to the Secretary-General to ensure that, in all his reports on country-specific situations, the protection of children is included as a specific aspect of the report, and expresses its intention to give its full attention to the information provided therein when dealing with those situations on its agenda;

20. *Requests* the Secretary-General to submit a report by November 2006 on the implementation of the present resolution and resolutions 1379 (2001), 1460 (2003) and 1539 (2004) which would include, inter alia:

(*a*) Information on compliance by parties in ending the recruitment or use of children in armed conflict in violation of applicable international law and other violations being committed against children affected by armed conflict;

(*b*) Information on progress made in the implementation of the monitoring and reporting mechanism mentioned in paragraph 3 above;

(*c*) Information on progress made in the development and implementation of the action plans referred to in paragraph 7 above;

(*d*) Information on the assessment of the role and activities of child-protection advisers;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5235th meeting.

BRIEFING BY THE CHAIRMAN-IN-OFFICE OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE[335]

Decisions

At its 5134th meeting, on 4 March 2005, the Security Council considered the item entitled "Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Dimitrij Rupel, Minister for Foreign Affairs of Slovenia and Chairman-in-Office of the Organization for Security and Cooperation in Europe.

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER[336]

Decision

On 18 May 2005, the President of the Security Council addressed the following letter to the Secretary-General:[337]

> "I have the honour to inform you that your letter dated 10 May 2005 concerning your intention to continue the activities of the United Nations Tajikistan Office of Peacebuilding for a further period of one year, until 1 June 2006,[338] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein."

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[335] Resolutions or decisions on this question were also adopted by the Security Council in 2001 and during the period from 1 January to 31 July 2004.

[336] Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.

[337] S/2005/324.

[338] S/2005/323.

THE SITUATION CONCERNING IRAQ[339]

Decisions

On 23 May 2005, the President of the Security Council addressed the following letter to the Secretary-General:[340]

> "I have the honour to inform you that your letter dated 19 May 2005 concerning your proposal to appoint Mr. Stephen G. Rademaker as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[341] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 5189th meeting, on 31 May 2005, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation concerning Iraq".

At the same meeting, in accordance with the understanding reached in its prior consultations, Mrs. Anne Patterson, Deputy Permanent Representative of the United States of America to the United Nations, on behalf of the multinational force, briefed the Council on the item under consideration.

At its 5190th meeting, held in private on 31 May 2005, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5190th meeting, held in private on 31 May 2005, the Security Council considered the item entitled 'The situation concerning Iraq'.
>
> "In accordance with the decision taken at the 5189th meeting, the President extended an invitation under rule 37 of the provisional rules of procedure of the Council to Mr. Hoshyar Zebari, Minister for Foreign Affairs of Iraq.
>
> "The members of the Council and Mr. Zebari had a constructive discussion."

At its 5204th meeting, on 16 June 2005, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2005/373)".

At the same meeting, the Council heard a briefing by Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

At its 5214th meeting, on 24 June 2005, the Council considered the item entitled "The situation concerning Iraq".

Following the decision taken at the 5214th meeting, the President of the Security Council addressed the following letter to the Secretary-General:[342]

> "I have the honour to inform you that the Security Council has decided to approve the proposal, contained in your letter of 20 June 2005 concerning the United Nations

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[339] In accordance with a note by the President of the Security Council dated 18 April 2005 (S/2005/251), members of the Council agreed that issues relating to the return of all Kuwaiti property, the repatriation or return of all Kuwaiti and third-country nationals or their remains, and the United Nations Compensation Commission would be considered under the item entitled "The situation between Iraq and Kuwait". Other issues that did not fall under this category would be considered under the item entitled "The situation concerning Iraq".

[340] S/2005/334.

[341] S/2005/333.

[342] S/2005/407.

> Monitoring, Verification and Inspection Commission escrow account established under Council resolution 1284 (1999) and related resolutions,[343] to transfer from this escrow account $200 million to the Development Fund for Iraq and $20,256,697 to be credited against assessments issued in respect of the obligations of the Government of Iraq for regular budget, peacekeeping and Tribunal activities, and the capital master plan of the Organization."

POST-CONFLICT PEACEBUILDING

Decisions

At its 5187th meeting, on 26 May 2005, the Security Council decided to invite the representatives of Australia, Chile, Côte d'Ivoire, Egypt, Ghana, Iceland, India, Indonesia, Luxembourg, Malaysia, Morocco, New Zealand, Nigeria, Norway, Pakistan, Peru, the Republic of Korea, Sierra Leone, Slovakia, South Africa, Sweden, Switzerland and Ukraine to participate, without vote, in the discussion of the item entitled:

> "Post-conflict peacebuilding
>
> > "Letter dated 16 May 2005 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General (S/2005/316)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. James D. Wolfensohn, President of the World Bank.[344]

Upon resumption of the meeting, on 26 May 2005, the Council further decided to invite the representative of Papua New Guinea to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[345]

> "The Security Council reaffirms its commitment to the purposes and principles enshrined in the Charter of the United Nations and recalls its primary responsibility for the maintenance of international peace and security. The Council considers post-conflict peacebuilding closely linked to its primary responsibilities.
>
> "The Council recognizes that intra-State conflicts and States emerging from conflict are among the most complex challenges facing the international community and that responding to these challenges in most instances requires a coherent and integrated mix of peacebuilding and peacekeeping activities, including political, military, civilian, humanitarian and development activities.
>
> "The Council acknowledges that serious attention to the longer-term process of peacebuilding in all its multiple dimensions is critically important and that adequate support for peacebuilding activities can help to prevent countries from relapsing into conflict.
>
> "The Council underlines the fact that priorities in the post-conflict environment should include, where appropriate: protection of civilians; disarmament, demobilization, repatriation, reintegration and rehabilitation of former combatants; security sector and economic and social reform; the end of impunity, establishment and re-establishment of the

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[343] S/2005/406.

[344] Participated in the meeting via videolink.

[345] S/PRST/2005/20.

institutions of Government, the rule of law and transitional justice, respect for human rights; and economic revitalization.

"The Council recognizes the key role played by the United Nations, including the United Nations funds, programmes and specialized agencies, in peacebuilding alongside the international financial institutions, in particular the World Bank, bilateral donors and troop contributors. It also acknowledges the role the private sector can play in countries emerging from conflict. The Council underlines the fact that a successful outcome of post-conflict peacebuilding activities depends on the sustained commitment of all relevant actors to the process, through the involvement of these actors and the coordination of their activities in all phases from planning through implementation. In this regard, the Council also stresses the importance of pursuing coherent policies and resource allocation between these United Nations entities taking into account their respective mandates. The Council recalls the report of the Panel on United Nations Peace Operations[146] and the recommendations therein, and welcomes the progress made since the publication of the report, not least as regards planning of peacekeeping operations.

"The Council underlines the fact that for countries emerging from conflict, significant international assistance for economic and social rehabilitation and reconstruction is indispensable. In this regard, the Council acknowledges the role the Economic and Social Council plays, including in sustainable development, and reiterates its willingness to improve cooperation with United Nations bodies and organs directly concerned with peacebuilding.

"The Council underlines the importance of national ownership of the transition process from the end of a conflict to the attainment of lasting peace and sustainable development and the need for the international community to support nationally owned peacebuilding priorities. The Council recognizes the positive role played by local stakeholders and encourages dialogue between the United Nations and relevant national actors. The Council encourages capacity-building in order to respond to the country-specific circumstances of each conflict situation. One goal of this capacity-building – and of peacebuilding generally – should be to promote the establishment of self-supporting national authorities and thus the evolution of international assistance from peace support to longer-term development.

"The Council recognizes the crucial role of regional and subregional organizations in post-conflict peacebuilding and their involvement at the earliest possible stage. The Council realizes that a clear regional perspective is necessary as most conflicts have interlocking political, security, humanitarian and economic dynamics across borders. The Council underscores in this respect the need for enhanced cooperation and, where appropriate, coordination between United Nations and regional and subregional organizations in peacebuilding, based on a more integrated approach and with the aim of maximizing use of available resources and capabilities.

"The Council stresses the importance of a comprehensive international and regional approach to disarmament, demobilization and reintegration of former combatants that is not limited to the political and security aspects, but also addresses its social and economic aspects, including special needs of child soldiers and women.

"The Council stresses the special needs of Africa in post-conflict situations and encourages the international community to pay particular attention to those needs. It welcomes the ever-closer partnership between the African Union, the African subregional organizations and the United Nations in the area of peacemaking and peacekeeping and stresses the importance of extending this partnership to peacebuilding efforts.

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[146] See A/55/305.

"The Council underscores the importance of cooperation between United Nations peacekeeping operations and the United Nations funds, programmes and specialized agencies. The Council stresses the importance of ensuring that planning and implementation of United Nations humanitarian, peacekeeping, political and developmental activities at country level are well coordinated system-wide, including through the development of shared strategic objectives. The Council stresses that the United Nations should function as one integrated entity at country level under effective overall leadership in post-conflict peacebuilding.

"The Council stresses the need to ensure adequate and timely financing for peacebuilding priorities at all stages of the peace process and stresses the need for sustained financial investment in peacebuilding over the medium to longer-term period of recovery. It recognizes the importance of rapid initiation of peacebuilding activities to meet immediate needs and encourages the building of capabilities that can be incorporated rapidly.

"The Council welcomes the submission of the report of the Secretary-General of 21 March 2005 entitled "In larger freedom: towards development, security and human rights for all"[347] and of the report by the High-level Panel on Threats, Challenges and Change entitled "A more secure world: our shared responsibility".[348] The Council acknowledges institutional gaps, identified in the reports, in the United Nations institutional machinery with respect to effectively, coherently and comprehensively helping countries with the transition from conflict to lasting peace and sustainable development.

"The Council takes note with interest of the important proposal by the Secretary-General to establish a peacebuilding commission and shares the objective of improving United Nations capacity to coordinate with donors and troop contributors and to perform peacebuilding activities, in particular from the start of peacekeeping operations through stabilization, reconstruction and development. The Council recognizes the important role that this body could play to bridge the gap between maintenance of international peace and security and the work of humanitarian and economic development assistance."

UNITED NATIONS PEACEKEEPING OPERATIONS[349]

Decisions

At its 5191st meeting, on 31 May 2005, the Security Council considered the item entitled:

"United Nations peacekeeping operations

> "Letter dated 24 March 2005 from the Secretary-General to the President of the General Assembly (A/59/710)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Prince Zeid Ra'ad Zeid Al-Hussein, Adviser to the Secretary-General on Sexual Exploitation and Abuse by United Nations Peacekeeping Personnel, and Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

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[347] A/59/2005.

[348] See A/59/565 and Corr.1.

[349] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2004.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[350]

> "The Security Council recognizes the vital role that United Nations peacekeeping operations have played for decades in bringing peace and stability to countries emerging from war. The Council further recognizes that, with few exceptions, the women and men who serve in United Nations peacekeeping operations do so with the utmost professionalism, dedication and, in some cases, make the ultimate sacrifice.
>
> "The Council is deeply concerned about the allegations of sexual misconduct by United Nations peacekeeping personnel. The distinguished and honourable record of accomplishment in United Nations peacekeeping is being tarnished by the acts of a few individuals.
>
> "The Council condemns, in the strongest terms, all acts of sexual abuse and exploitation committed by United Nations peacekeeping personnel. The Council reiterates that sexual exploitation and abuse are unacceptable and have a detrimental effect on the fulfilment of mission mandates.
>
> "The Council, while confirming that the conduct and discipline of troops is primarily the responsibility of troop-contributing countries, recognizes the shared responsibility of the Secretary-General and all Member States to take every measure within their purview to prevent sexual exploitation and abuse by all categories of personnel in United Nations peacekeeping missions and to enforce United Nations standards of conduct in this regard. The Council reiterates the importance of ensuring that sexual exploitation and abuse are properly investigated and appropriately punished.
>
> "The Council underlines the fact that the provision of an environment in which sexual exploitation and abuse are not tolerated is primarily the responsibility of managers and commanders.
>
> "The Council welcomes the comprehensive report on sexual exploitation and abuse by United Nations peacekeeping personnel,[351] prepared by the Adviser to the Secretary-General on this issue, Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations. The Council also welcomes the report of the Special Committee on Peacekeeping Operations and its Working Group on its resumed session.[352]
>
> "The Council urges the Secretary-General and troop-contributing countries to ensure that the recommendations of the Special Committee, which fall within their respective responsibilities, are implemented without delay.
>
> "The Council will consider including relevant provisions for prevention, monitoring, investigation and reporting of misconduct cases in its resolutions establishing new mandates or renewing existing mandates. In this regard, the Council calls upon the Secretary-General to include, in his regular reporting on peacekeeping missions, a summary of the preventive measures taken to implement a zero-tolerance policy and of the outcome of actions taken against personnel found culpable of sexual exploitation and abuse."

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[350] S/PRST/2005/21.

[351] See A/59/710.

[352] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part two.

AFRICA'S FOOD CRISIS AS A THREAT TO PEACE AND SECURITY[153]

Decisions

At its 5220th meeting, on 30 June 2005, the Security Council considered the item entitled:

"Africa's food crisis as a threat to peace and security

"Briefing by Mr. James Morris, Executive Director of the World Food Programme".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. James Morris, Executive Director of the World Food Programme.

THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: THE ROLE OF THE SECURITY COUNCIL IN HUMANITARIAN CRISES – CHALLENGES, LESSONS LEARNED AND THE WAY AHEAD

Decisions

At its 5225th meeting, on 12 July 2005, the Security Council decided to invite the representatives of Canada, Fiji, India, Indonesia, Malaysia, Norway, Peru, the Republic of Korea and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled:

"The maintenance of international peace and security: the role of the Security Council in humanitarian crises – challenges, lessons learned and the way ahead

"Letter dated 6 July 2005 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General (S/2005/434)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[154]

"The Security Council reaffirms the purposes and principles enshrined in the Charter of the United Nations and bears in mind its primary responsibility under the Charter for the maintenance of international peace and security.

"The Council remains deeply concerned by the devastating humanitarian, political and economic consequences of armed conflicts and stresses the overriding political and moral imperatives to prevent the outbreak and escalation of armed conflicts and humanitarian crises, and the benefits therein for peace and development and friendly relations among all States.

"The Council acknowledges the importance of helping to prevent future conflicts through addressing their root causes in a legitimate and fair manner.

"The Council reiterates the importance it attaches to the promotion and urgent restoration of justice and the rule of law in post-conflict societies and in promoting national reconciliation, democratic development, and human rights. The Council recognizes that ending impunity is important in peace agreements and can contribute to efforts to come to terms with past abuses and to achieve national reconciliation to prevent future conflict. The Council recalls that it has repeatedly emphasized the responsibility of States to end impunity and bring to justice those responsible for genocide, war crimes, crimes against humanity and serious violations of international humanitarian law.

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[153] Resolutions or decisions on this question were also adopted by the Security Council in 2002 and 2003.

[154] S/PRST/2005/30.

“The Council further recognizes the increasing importance of civilian aspects of conflict management in addressing complex crisis situations and in preventing the recurrence of conflict and acknowledges the importance of civilian-military cooperation in crisis management. When approving a United Nations operation, the Council should take into account the essential role of military and civilian police in assisting the stabilization of crisis situations and the maintenance of security. At the same time, the Council acknowledges that the special representative of the Secretary-General, assisted by civilian advisers, could play a key coordination role in the provision of humanitarian assistance, the re-establishment of public order, the functioning of public institutions, as well as rehabilitation, reconstruction and peacebuilding, which lead to long-term sustainable development.

“The Council stresses the need to ensure adequate and timely financing for peacebuilding priorities at all stages of the peace process and stresses the need for sustained financial investment in peacebuilding over the medium to longer-term period of recovery. It recognizes the importance of rapid initiation of peacebuilding activities to meet immediate needs and encourages the building of capabilities that can be incorporated rapidly.

“The Council takes note with interest of the important proposal by the Secretary-General to establish a peacebuilding commission and shares the objective of improving United Nations capacity to coordinate with donors and troop contributors and to perform peacebuilding activities, in particular from the start of peacekeeping operations through stabilization, reconstruction and development. The Council recognizes the important role that this body could play to bridge the gap between maintenance of international peace and security and the work of humanitarian and economic development assistance.

“The Council acknowledges that in post-conflict societies, successful peacebuilding rests on the premise that protection of civilians, the promotion of the rule of law and transitional justice, disarmament, demobilization, repatriation, reintegration and rehabilitation of former combatants, security sector and democratic, economic and social reform are integrated elements and that national ownership plays an important role which should be supported by the international community, including the regional organizations.

“The Council emphasizes that security sector reform is an essential element of any stabilization process in post-conflict environments, underlines the fact that it is inextricably linked with promotion of the rule of law, transitional justice, disarmament, demobilization and reintegration and the protection of civilians, among others, and acknowledges the need for more adequate preparation, including mobilization of necessary planning resources, and more coherent approaches by the United Nations and the international community in addressing these issues.

“The Council acknowledges the need to give adequate attention to security sector reform in the future, drawing on best practices that have been developed in this area. The Council also stresses the need seriously to consider the promotion of the rule of law and transitional justice, the disarmament, demobilization and reintegration process and security sector reform, their interlinkage and the availability of adequate resources, when approving the necessary mandates for United Nations operations.”

THE RESPONSIBILITY OF THE SECURITY COUNCIL IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: HIV/AIDS AND INTERNATIONAL PEACEKEEPING OPERATIONS[355]

Decisions

At its 5228th meeting, on 18 July 2005, the Security Council considered the item entitled "The responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Dr. Peter Piot, Executive Director of the Joint United Nations Programme on HIV/AIDS.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[356]

> "The Security Council reaffirms its commitment to the full implementation of resolution 1308 (2000). The Council also recalls the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on 27 June 2001.[357]
>
> "The Council welcomes the collaboration between the Department of Peacekeeping Operations of the Secretariat and the Joint United Nations Programme on HIV/AIDS and its co-sponsors to address HIV/AIDS awareness among peacekeeping personnel, both uniformed and civilian. The Council commends the Joint Programme for developing, in cooperation with interested States, national programmes to address HIV/AIDS among their uniformed personnel. The Council recognizes the significant number of direct and indirect beneficiaries of the programmes worldwide.
>
> "The Council recognizes that men and women in the uniformed services are vital elements in the fight against HIV/AIDS. The Council welcomes the efforts by Member States, including through existing national programmes, the Department of Peacekeeping Operations, the Joint Programme and other stakeholders, to counter the spread of the disease. The Council encourages Member States, in the preparation of their personnel for participation in peacekeeping operations, to employ best practices in HIV/AIDS education, prevention, awareness, countering stigma and discrimination, voluntary confidential counselling and testing, and care and treatment.
>
> "The Council also recognizes that United Nations peacekeeping personnel can be important contributors to the response to HIV/AIDS, particularly for vulnerable communities in post-conflict environments. The Council welcomes the action taken by the Secretary-General and the United Nations peacekeeping missions to integrate HIV/AIDS awareness in their mandated activities and outreach projects for vulnerable communities and urges them to pay particular attention to the gender dimensions of HIV/AIDS. In this context, the Council encourages further cooperation between the Department of Peacekeeping Operations and the Joint Programme and its co-sponsors, non-governmental organizations and civil society, bilateral and multilateral donors and national Governments.
>
> "The Council further recognizes that significant progress has been made in implementation of resolution 1308 (2000) but that many challenges remain. The Council expresses its readiness to further promote and support the implementation of this resolution.

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[355] Resolutions or decisions on this question were also adopted by the Security Council in 2000, 2001 and 2003.

[356] S/PRST/2005/33.

[357] General Assembly resolution S-26/2, annex.

In order to maintain and consolidate momentum, the Council welcomes regular briefings, as needed, by the Department of Peacekeeping Operations and the Joint Programme on the progress made, as a measure to strengthen commitment and accountability at the highest levels and ensure sustained monitoring and evaluation of the impact of programmes. The Council reaffirms its intention to contribute, within its competence, to the attainment of the relevant objectives in the Declaration adopted at the twenty-sixth special session of the General Assembly in carrying out the Council's work, in particular in its follow-up to resolution 1308 (2000)."

LETTERS DATED 26 JULY 2005 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decision

At its 5237th meeting, held in private on 27 July 2005, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5237th meeting, held in private on 27 July 2005, the Security Council considered the item entitled 'Letters dated 26 July 2005 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/2005/485 and S/2005/489)'.

"Before the agenda was adopted, the representative of the Russian Federation requested that the agenda be put to a vote. The representatives of China and the United Kingdom made statements.

"The President put the request of the Russian Federation to a vote.

"The request received 9 votes in favour, 5 against (Algeria, Benin, China, the Russian Federation and the United Republic of Tanzania) and 1 abstention (Brazil).

"The agenda was adopted.

"The President, with the consent of the Council, invited the representative of Zimbabwe to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council, to Mrs. Anna Tibaijuka, Special Envoy of the Secretary-General on human settlements issues in Zimbabwe.

"The members of the Council heard a briefing by Mrs. Tibaijuka.

"The representative of Zimbabwe made a statement.

"Mrs. Tibaijuka responded to questions from members of the Council."

Part II. Other matters considered by the Security Council

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994[358]

Decisions

At its 5016th meeting, on 4 August 2004, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

> "Letter dated 21 May 2004 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2004/420)
>
> "Letter dated 30 April 2004 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, addressed to the President of the Security Council (S/2004/341)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[359]

> "The Security Council takes note of the letter dated 21 May 2004 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council.[360]
>
> "The Council also takes note of the letter dated 30 April 2004 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations

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[358] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999

[359] S/PRST/2004/28.

[360] S/2004/420.

Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 addressed to the President of the Security Council.[361]

"The Council thanks the Presidents and Prosecutors of the two Tribunals for these assessments requested by resolution 1534 (2004), as supplemented by their oral reports at the 4999th meeting of the Council on 29 June 2004.

"The Council reaffirms its support for the two Tribunals and welcomes their efforts to carry out their completion strategies. The Council strongly encourages the Tribunals to make every effort to ensure that they remain on track to meet the target dates of the completion strategies.

"The Council stresses that the full cooperation of all States with the Tribunals is not only a mandatory obligation of all States under its resolutions 827 (1993) and 955 (1994) and the statutes of the Tribunals, but is also an essential element in realizing the completion strategies. In this regard, the Council takes careful note of the assessments presented with respect to the level of cooperation by the authorities of Serbia and Montenegro and the Republika Srpska within Bosnia and Herzegovina with the International Tribunal for the Former Yugoslavia. We welcome as well the commitments made by the new Government in Serbia regarding cooperation with the International Tribunal for the Former Yugoslavia. The Council takes note of developments in Croatian and Rwandan cooperation with the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, respectively.

"The Council reiterates its call upon all States, especially Serbia and Montenegro, Croatia, Bosnia and Herzegovina, and the Republika Srpska within Bosnia and Herzegovina, to intensify cooperation with and render all necessary assistance to the International Tribunal for the Former Yugoslavia, in particular to bring Radovan Karadzic and Ratko Mladic, as well as Ante Gotovina and all other such indictees to the Tribunal.

"The Council reiterates its call upon all States, especially Rwanda, Kenya, the Democratic Republic of the Congo and the Republic of the Congo, to intensify cooperation with and render all necessary assistance to the International Criminal Tribunal for Rwanda, including in investigations of the Rwandan Patriotic Army and efforts to bring Felicien Kabuga and all other such indictees to the Tribunal.

"The Council notes with concern that the shortfall in financial contributions from Member States is having a disruptive effect on the work of the Tribunals and urges Member States to fulfil their commitments in a timely manner.

"The Council emphasizes the importance of the referral of cases involving lower- and intermediate-rank accused to competent national jurisdictions in achieving the completion strategies and recalls the provisions of its resolutions 1503 (2003) and 1534 (2004), including the call for assistance to ensure the success of this effort.

"The Council also notes the concerns expressed by the President of the International Tribunal for the Former Yugoslavia on the effect the expiry of the terms of permanent judges may have on case management and takes note of the letter dated 15 July 2004 from the Acting Legal Counsel bringing forward an invitation to Member States to submit nominations for permanent judges of the Tribunal before 13 September 2004.

"The Council encourages further dialogue between the Tribunals and its Working Group on matters of mutual concern.

"The Council will remain seized of the matter."

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[361] S/2004/341.

At its 5086th meeting, on 23 November 2004, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Rwanda and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
>> "Letter dated 23 November 2004 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2004/897)
>>
>> "Letter dated 19 November 2004 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, addressed to the President of the Security Council (S/2004/921)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Judge Theodor Meron, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Erik Møse, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

At its 5199th meeting, on 13 June 2005, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Rwanda and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
>> "Letter dated 25 May 2005 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2005/343 and Corr.1)
>>
>> "Letter dated 23 May 2005 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and

Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, addressed to the President of the Security Council (S/2005/336)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Judge Theodor Meron, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Erik Møse, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 5044th meeting, on 28 September 2004, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[362]

"At its 5044th meeting, held on 28 September 2004, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2003 to 31 July 2004. The Council adopted the draft report without a vote."

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decisions

On 30 September 2004, the President of the Security Council issued the following note:[363]

"1. Following consultations among the members of the Security Council and further to the note by the President of the Security Council dated 11 June 2004,[364] the members of the Council agreed to elect two additional Vice-Chairmen of the Security Council Committee established pursuant to resolution 1540 (2004):

Benin

United Kingdom of Great Britain and Northern Ireland

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[362] S/2004/743.

[363] S/2004/770.

[364] S/2004/472.

"2. The composition of the Bureau of the Security Council Committee established pursuant to resolution 1540 (2004) is thus as follows for the term ending on 31 December 2004:

Chairman:	Mr. Mihnea Ioan Motoc (Romania)
Vice-Chairmen:	Benin, Philippines and United Kingdom of Great Britain and Northern Ireland"

On 2 December 2004, the President of the Security Council issued the following note:[165]

"The members of the Security Council have agreed that the newly elected members of the Council will be invited to attend the informal consultations of the whole, as well as both formal and informal meetings of the subsidiary bodies of the Council, for a period of one month immediately preceding their term of membership (that is, with effect from 1 December). Delegations should respect the confidentiality of those discussions.

"The members of the Council also agreed that, if an incoming member will be assuming the Presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for a period of two months immediately preceding its term of membership (that is, with effect from 1 November).

"The members of the Council further agreed that each of those incoming member delegations should be represented at the level of Permanent Representative or Deputy Permanent Representative at informal consultations of the whole and by any one member of the delegation at formal and informal meetings of the subsidiary bodies of the Council. For that purpose, one seat will be assigned to each delegation at the side of the room.

"The Chairmen of the subsidiary bodies of the Council should not otherwise deviate from Council practice with regard to attendance by incoming members without guidance from the Council.

"The present note supersedes the note by the President of the Security Council of 22 November 2002."[166]

On 6 December 2004, the President of the Security Council issued the following note:[167]

"Following consultations among the members of the Security Council, it was agreed that Mr. Gunter Pleuger, Permanent Representative of Germany to the United Nations, would serve as the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire from 6 to 31 December 2004."

On 30 December 2004, the President of the Security Council issued the following note:[168]

"Following consultations among the members of the Security Council, it has been agreed that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, initially established on 1 March 2002[169] for a period of one year, will continue its work until 31 December 2005."

On 30 December 2004, the President of the Security Council issued the following note:[170]

"After consultations among the members of the Security Council, it has been agreed that the Security Council Working Group on Peacekeeping Operations, established pursuant to the statement made by the President of the Security Council at the 4270th meeting of the Council, held on 31 January 2001,[371] will continue its work until 31 December 2005."

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[165] S/2004/939.

[166] S/2002/1276.

[167] S/2004/950.

[168] S/2004/1031.

[169] See S/2002/207.

[170] S/2004/1032.

On 5 January 2005, the President of the Security Council issued the following note:[372]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[373] and after consultations among the members of the Council, it was agreed to elect the Chairmen and Vice-Chairmen of the following Sanctions Committees and other subsidiary bodies for the period ending 31 December 2005:

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Mr. Lauro L. Baja, Jr. (Philippines)
Vice-Chairmen: Algeria and Greece

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Mr. Abdallah Baali (Algeria)
Vice-Chairmen: Benin and Greece

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Mr. Ronaldo Mota Sardenberg (Brazil)
Vice-Chairmen: Algeria and Argentina

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Chairman: Mr. César Mayoral (Argentina)
Vice-Chairmen: Greece and Romania

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chairmen: Mr. Andrey I. Denisov (Russian Federation) until 31 March 2005 and Ms. Ellen Margrethe Løj (Denmark) as of 1 April 2005
Vice-Chairmen: Algeria, Brazil and Greece

Security Council Committee established pursuant to resolution 1518 (2003)

Chairman: Mr. Mihnea Ioan Motoc (Romania)
Vice-Chairmen: Brazil and Denmark

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chairman: Ms. Ellen Margrethe Løj (Denmark)
Vice-Chairmen: Japan and Philippines

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chairman: Mr. Abdallah Baali (Algeria)
Vice-Chairmen: Benin and Philippines

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[371] S/PRST/2001/3.

[372] S/2005/3.

[373] S/1998/1016.

Security Council Committee established pursuant to resolution 1540 (2004)

Chairman:	Mr. Mihnea Ioan Motoc (Romania)
Vice-Chairmen:	Benin, Philippines and United Kingdom of Great Britain and Northern Ireland

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Chairman:	Mr. Adamantios Th. Vassilakis (Greece)
Vice-Chairmen:	Denmark and United Republic of Tanzania"

On 5 January 2005, the President of the Security Council issued the following note:[176]

"*Informal Working Group on General Issues of Sanctions*

"1. After consultations among the members of the Security Council, it has been agreed that Mr. Augustine P. Mahiga, Permanent Representative of the United Republic of Tanzania to the United Nations, will serve as Chairman of the Informal Working Group on General Issues of Sanctions, established pursuant to the third paragraph of the note by the President of the Security Council dated 17 April 2000,[177] for the period ending 31 December 2005.

"*Working Group on Peacekeeping Operations*

"2. After consultations among the members of the Security Council, it has been agreed that Mr. Kenzo Oshima, Permanent Representative of Japan to the United Nations, will serve as Chairman of the Working Group on Peacekeeping Operations, established pursuant to the statement made by the President of the Security Council at the 4270th meeting of the Council, held on 31 January 2001,[illegible] for the period ending 31 December 2005.

"*Ad Hoc Working Group on Conflict Prevention and Resolution in Africa*

"3. After consultations among the members of the Security Council, it has been agreed that Mr. Joël W. Adechi, Permanent Representative of Benin to the United Nations, will serve as Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, established pursuant to the note by the President of the Security Council dated 1 March 2002,[illegible] for the period ending 31 December 2005.

"*Working Group established pursuant to resolution 1566 (2004)*

"4. After consultations among the members of the Security Council, it has been agreed that Mr. Lauro L. Baja, Jr., Permanent Representative of the Philippines to the United Nations, will serve as Chairman of the Working Group established pursuant to resolution 1566 (2004), for the period ending 31 December 2005."

On 18 April 2005, the President of the Security Council issued the following note:[178]

"Following informal consultations held on 11 April 2005, concerning the formulation of the title of the agenda item for issues pertaining to Iraq, members of the Security Council reached agreement as follows.

"Issues relating to the return of all Kuwaiti property, the repatriation or return of all Kuwaiti and third-country nationals or their remains and the United Nations Compensation Commission would be considered under the agenda item entitled 'The situation between Iraq and Kuwait'. Other issues that did not fall under this category would be considered under the agenda item entitled 'The situation concerning Iraq'."

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[176] S/2005/4.

[177] S/2000/319.

[178] S/2005/251.

On 5 May 2005, the President of the Security Council issued the following note:[377]

"Following consultations among the members of the Security Council on 29 April and 4 May 2005, the members agreed to elect the Chairman and Vice-Chairmen of the following Committee for the period ending 31 December 2005:

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Chairman:	Mr. Adamantios Th. Vassilakis (Greece)
Vice-Chairmen:	Argentina and the Philippines"

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991[378]

Decision

At its 5057th meeting, on 14 October 2004, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"Establishment of the list of candidates for Permanent Judges".

Resolution 1567 (2004)
of 14 October 2004

The Security Council,

Recalling its resolutions 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1481 (2003) of 19 May 2003, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004,

Having considered the nominations for Permanent Judges of the International Tribunal for the Former Yugoslavia received by the Secretary-General,

Forwards the following nominations to the General Assembly in accordance with article 13 bis, paragraph 1 (*d*), of the statute of the International Tribunal:

Mr. Carmel A. Agius (Malta)
Mr. Jean-Claude Antonetti (France)
Mr. Iain Bonomy (United Kingdom of Great Britain and Northern Ireland)
Mr. Liu Daqun (China)
Mr. Mohamed Amin El-Abbassi El Mahdi (Egypt)
Mr. Elhagi Abdulkader Emberesh (Libyan Arab Jamahiriya)

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[377] S/2005/297.

[378] Resolutions or decisions on this question were also adopted by the Security Council in 1996, from 1998 to 2003 and during the period from 1 January to 31 July 2004.

Mr. Rigoberto Espinal Irias (Honduras)
Mr. O-gon Kwon (Republic of Korea)
Mr. Theodor Meron (United States of America)
Mr. Bakone Melema Moloto (South Africa)
Ms. Prisca Matimba Nyambe (Zambia)
Mr. Alphonsus Martinus Maria Orie (Netherlands)
Mr. Kevin Horace Parker (Australia)
Mr. Fausto Pocar (Italy)
Mr. Yenyi Olungu (Democratic Republic of the Congo)
Mr. Sharada Prasad Pandit (Nepal)
Ms. Vonimbolana Rasoazanany (Madagascar)
Mr. Patrick Lipton Robinson (Jamaica)
Mr. Wolfgang Schomburg (Germany)
Mr. Mohamed Shahabuddeen (Guyana)
Ms. Christine Van den Wyngaert (Belgium)
Mr. Volodymyr A. Vassylenko (Ukraine)

Adopted unanimously at the 5057th meeting.

Decision

At its 5112th meeting, on 18 January 2005, the Security Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> > "Identical letters dated 6 January 2005 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council (S/2005/9)".

Resolution 1581 (2005)
of 18 January 2005

The Security Council,

Taking note of the letter dated 6 January 2005 from the Secretary-General to the President of the Security Council,[179]

Recalling its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004,

Bearing in mind the statement made to the Security Council at its 5086th meeting on 23 November 2004 by the President of the International Tribunal for the Former Yugoslavia, in which he expressed the commitment by the International Tribunal to the Completion Strategy,

Expressing its expectation that the extension of the terms of office of the ad litem judges concerned will enhance the effectiveness of trial proceedings and contribute towards ensuring the implementation of the Completion Strategy,

1. *Decides*, in response to the request by the Secretary-General, that:

(*a*) Judge Rasoazanany and Judge Swart, once replaced as ad litem judges of the International Tribunal for the Former Yugoslavia, finish the *Hadžihasanović* case, which they have begun before expiry of their term of office;

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[179] S/2005/9.

(*b*) Judge Brydensholt and Judge Eser, once replaced as ad litem judges of the International Tribunal, finish the *Orić* case, which they have begun before expiry of their term of office;

(*c*) Judge Thelin and Judge Van den Wyngaert, once replaced as ad litem judges of the International Tribunal, finish the *Limaj* case, which they have begun before expiry of their term of office;

(*d*) Judge Canivell, once replaced as an ad litem judge of the International Tribunal, finish the *Krajišnik* case, which he has begun before expiry of his term of office;

(*e*) Judge Szénási, if appointed to serve in the International Tribunal for the trial of the *Halilović* case, proceed, once replaced as an ad litem judge of the International Tribunal, to finish that case, which he would have begun before expiry of his term of office;

(*f*) Judge Hanoteau, if appointed to serve in the International Tribunal for the trial of the *Krajišnik* case, proceed, once replaced as an ad litem judge of the International Tribunal, to finish that case, which he would have begun before expiry of his term of office;

2. *Takes note*, in this regard, of the intention of the International Tribunal to finish the *Hadžihasanović* case before the end of September 2005, the *Halilović* case before the end of October 2005, the *Orić* and *Limaj* cases before the end of November 2005 and the *Krajišnik* case before the end of April 2006.

Adopted unanimously at the 5112th meeting.

Decisions

At its 5140th meeting, on 14 March 2005, the Security Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "Letter dated 24 February 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/127)".

Following the decision taken at the 5140th meeting, the President of the Security Council addressed the following letter to the Secretary-General:[180]

> "I have the honour to inform you that your letter dated 24 February 2005 concerning the list of candidates for the International Tribunal for the Former Yugoslavia[181] and your suggestion to extend the deadline for nominations to the Tribunal until 31 March 2005 has been brought to the attention of the members of the Security Council. The Council took note of the information contained in the letter and decided to extend the deadline until 31 March 2005."

At its 5165th meeting, on 20 April 2005, the Security Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "Letter dated 11 April 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/236)".

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[180] S/2005/159.

[181] S/2005/127.

Resolution 1597 (2005)
of 20 April 2005

The Security Council,

Reaffirming its resolutions 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, 1481 (2003) of 19 May 2003, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004,

Having considered the letter dated 24 February 2005 from the Secretary-General to the President of the Security Council[381] transmitting the list of candidates for election as ad litem judges of the International Tribunal for the Former Yugoslavia,

Noting that the Secretary-General had suggested that the deadline for nominations be extended until 31 March 2005 and that the President indicated in his reply of 14 March 2005[380] that the Security Council had agreed to the extension of the deadline,

Having considered the letter dated 11 April 2005 from the Secretary-General to the President of the Security Council,[382] in which the Secretary-General suggested that the deadline for the nomination of candidates for election as ad litem judges be further extended,

Noting that the number of candidates continues to fall short of the minimum number required by the statute of the Tribunal to be elected,

Considering that the twenty-seven ad litem judges elected by the General Assembly at its 102nd plenary meeting on 12 June 2001 whose term of office expires on 11 June 2005 should be eligible for re-election, and wishing to amend the statute for that purpose,

Noting that, should the cumulative period of service of an ad litem judge of the Tribunal amount to three years or more, this will not result in any change in their entitlements or benefits and, in particular, will not give rise to any additional entitlements or benefits other than those that already exist and which will, in such an eventuality, be extended pro-rata by virtue of the extension of service,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to amend article 13 ter of the statute of the International Tribunal for the Former Yugoslavia and to replace that article with the provision set out in the annex to the present resolution;

2. *Decides*, further to the letter dated 11 April 2005 from the Secretary-General to the President of the Security Council[382] to extend the deadline for nominations of ad litem judges under the amended provision of the statute for a further thirty days from the date of the adoption of the present resolution;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5165th meeting.

Annex

Article 13 ter
Election and appointment of ad litem judges

1. The ad litem judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council in the following manner:

(*a*) The Secretary-General shall invite nominations for ad litem judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

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[382] S/2005/236.

(*b*) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to four candidates meeting the qualifications set out in article 13 of the statute, taking into account the importance of a fair representation of female and male candidates;

(*c*) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than fifty-four candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution;

(*d*) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the twenty-seven ad litem judges of the International Tribunal. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected;

(*e*) The ad litem judges shall be declared elected for a term of four years. They shall be eligible for re-election.

2. During any term, ad litem judges will be appointed by the Secretary-General, upon request of the President of the International Tribunal, to serve in the Trial Chambers for one or more trials, for a cumulative period of up to, but not including three years. When requesting the appointment of any particular ad litem judge, the President of the International Tribunal shall bear in mind the criteria set out in article 13 of the statute regarding the composition of the Chambers and sections of the Trial Chambers, the considerations set out in paragraphs1 (*b*) and (*c*) above and the number of votes the ad litem judge received in the General Assembly.

Decisions

At its 5195th meeting, on 7 June 2005, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"Letter dated 26 May 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/346)".

Following the decision taken at the 5195th meeting, the President of the Security Council addressed the following letter to the Secretary-General:[393]

"I have the honour to inform you that your letter dated 26 May 2005 concerning the list of candidates for ad litem judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in which you suggest that the deadline for nominations be extended for thirty days,[394] was brought to the attention of the members of the Security Council. The Council took note of the content of your letter and decided to postpone the deadline for nominations to 7 July 2005."

At its 5236th meeting, on 26 July 2005, the Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"Establishment of the list of candidates for ad litem Judges".

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[393] S/2005/371.

[394] S/2005/346.

Resolution 1613 (2005)
of 26 July 2005

The Security Council,

Recalling its resolutions 827 (1993) of 25 May 1993, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, 1481 (2003) of 19 May 2003, 1503 (2003) of 28 August 2003, 1534 (2004) of 26 March 2004 and 1597 (2005) of 20 April 2005,

Having considered the nominations for ad litem judges of the International Tribunal for the Former Yugoslavia received by the Secretary-General,

Forwards the following nominations to the General Assembly in accordance with article 13 ter, paragraph 1 (*d*), of the statute of the International Tribunal:

Mr. Tanvir Bashir Ansari (Pakistan)
Mr. Melville Baird (Trinidad and Tobago)
Mr. Frans Bauduin (The Netherlands)
Mr. Giancarlo Roberto Bellelli (Italy)
Mr. Ishaq Usman Bello (Nigeria)
Mr. Ali Nawaz Chowhan (Pakistan)
Mr. Pedro David (Argentina)
Mr. Ahmad Farawati (Syrian Arab Republic)
Ms. Elizabeth Gwaunza (Zimbabwe)
Mr. Burton Hall (Bahamas)
Mr. Frederik Harhoff (Denmark)
Mr. Frank Höpfel (Austria)
Ms. Tsvetana Kamenova (Bulgaria)
Mr. Muhammad Muzammal Khan (Pakistan)
Mr. Uldis Kinis (Latvia)
Mr. Raimo Lahti (Finland)
Ms. Flavia Lattanzi (Italy)
Mr. Antoine Mindua (Democratic Republic of the Congo)
Mr. Jawdat Naboty (Syrian Arab Republic)
Ms. Janet Nosworthy (Jamaica)
Ms. Chioma Egondu Nwosu-Iheme (Nigeria)
Ms. Prisca Matimba Nyambe (Zambia)
Ms. Michèle Picard (France)
Mr. Brynmor Pollard (Guyana)
Mr. Árpád Prandler (Hungary)
Ms. Kimberly Prost (Canada)
Sheikh Abdul Rashid (Pakistan)
Ms. Vonimbolana Rasoazanany (Madagascar)
Mr. Ole Bjørn Støle (Norway)
Mr. Krister Thelin (Sweden)
Mr. Klaus Tolksdorf (Germany)
Mr. Stefan Trechsel (Switzerland)
Mr. Abubakar Bashir Wali (Nigeria)
Tan Sri Dato' Lamin bin Haji Mohd Yunus (Malaysia)

Adopted unanimously at the 5236th meeting.

INTERNATIONAL COURT OF JUSTICE[385]

A. Date of election to fill a vacancy in the International Court of Justice (S/2004/830)

Decision

At its 5070th meeting, on 4 November 2004, the Security Council considered the item entitled "Date of election to fill a vacancy in the International Court of Justice (S/2004/830)".

Resolution 1571 (2004)
of 4 November 2004

The Security Council,

Noting with regret the resignation of Judge Gilbert Guillaume, to take effect on 11 February 2005,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Gilbert Guillaume will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 15 February 2005 at a meeting of the Security Council and at a meeting of the General Assembly at its fifty-ninth session.

Adopted without a vote at the 5070th meeting.

B. Election of a member of the International Court of Justice (S/2005/50, S/2005/51 and S/2005/52)

Decision

On 15 February 2005, the Security Council, at its 5121st meeting, and the General Assembly, at the 81st plenary meeting of its fifty-ninth session, elected Mr. Ronny Abraham, of France, to the International Court of Justice to fill a vacancy created by the resignation of Judge and former President Gilbert Guillaume.

WRAP-UP DISCUSSION ON THE WORK OF THE SECURITY COUNCIL[386]

Decision

At its 5156th meeting, on 30 March 2005, the Security Council decided to invite the representatives of Belarus, Cuba, Egypt, the Gambia, Indonesia, Luxembourg, Morocco, Pakistan, Rwanda, Somalia and Tunisia to participate, without vote, in the discussion of the item entitled:

"Wrap-up discussion on the work of the Security Council for the current month

> "Letter dated 18 March 2005 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General (S/2005/188)".

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[385] Resolutions or decisions on this question were also adopted by the Security Council in 1946, 1948, 1949, 1951, 1953, 1954, 1956 to 1960, 1963, 1965, 1966, 1969, 1972, 1975, 1978, 1980 to 1982, 1984, 1985, 1987, 1989 to 1991, 1993 to 1996 and 1999 to 2002.

[386] Resolutions or decisions on this question were also adopted by the Security Council in 2001, 2002 and 2003.

Items included in the agenda of the Security Council from 1 August 2004 to 31 July 2005 for the first time

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 August 2004 to 31 July 2005 will be found in the *Official Records of the Security Council*, 5016th to 5244th meetings.

The following chronological list shows the meeting at which the Council decided, during that period, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
Civilian aspects of conflict management and peacebuilding	5041	22 September 2004
Security Council meetings in Nairobi (18–19 November 2004)	5063	26 October 2004
Institutional relationship with the African Union	5084	19 November 2004
Meeting of the Security Council with the troop-contributing countries to the United Nations Stabilization Mission in Haiti pursuant to resolution 1353 (2001), annex II, sections A and B	5087	24 November 2004
Meeting of the Security Council with the troop-contributing countries to the United Nations Operation in Burundi pursuant to resolution 1353 (2001), annex II, sections A and B	5088	24 November 2004
Post-conflict peacebuilding	5187	26 May 2005
The situation concerning Iraq	5189	31 May 2005
The maintenance of international peace and security: the role of the Security Council in humanitarian crises — challenges, lessons learned and the way ahead	5225	12 July 2005
Letters dated 26 July 2005 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council	5237	27 July 2005

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1561 (2004)	17 September 2004	The situation in Liberia	154
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1563 (2004)	17 September 2004	The situation in Afghanistan	104
1564 (2004)	18 September 2004	Report of the Secretary-General on the Sudan	110
1565 (2004)	1 October 2004	The situation concerning the Democratic Republic of the Congo	168
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1573 (2004)	16 November 2004	The situation in Timor-Leste	99
1574 (2004)	19 November 2004	Reports of the Secretary-General on the Sudan	115
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1576 (2004)	29 November 2004	The question concerning Haiti	140
1577 (2004)	1 December 2004	The situation in Burundi	76
1578 (2004)	15 December 2004	The situation in the Middle East	36
1579 (2004)	21 December 2004	The situation in Liberia	155
1580 (2004)	22 December 2004	The situation in Guinea-Bissau	136
1581 (2005)	18 January 2005	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	249
1582 (2005)	28 January 2005	The situation in Georgia	215
1583 (2005)	28 January 2005	The situation in the Middle East	37
1584 (2005)	1 February 2005	The situation in Côte d'Ivoire	14
1585 (2005)	10 March 2005	Reports of the Secretary-General on the Sudan	120
1586 (2005)	14 March 2005	The situation between Eritrea and Ethiopia	151
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1591 (2005)	29 March 2005	Reports of the Secretary-General on the Sudan	127
1592 (2005)	30 March 2005	The situation concerning the Democratic Republic of the Congo	176
1593 (2005)	31 March 2005	Reports of the Secretary-General on the Sudan	131
1594 (2005)	4 April 2005	The situation in Côte d'Ivoire	17
1595 (2005)	7 April 2005	The situation in the Middle East	40
1596 (2005)	18 April 2005	The situation concerning the Democratic Republic of the Congo	179
1597 (2005)	20 April 2005	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	251
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1599 (2005)	28 April 2005	The situation in Timor-Leste	101
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1602 (2005)	31 May 2005	The situation in Burundi	78
1603 (2005)	3 June 2005	The situation in Côte d'Ivoire	19
1604 (2005)	15 June 2005	The situation in Cyprus	190
1605 (2005)	17 June 2005	The situation in the Middle East	44
1606 (2005)	20 June 2005	The situation in Burundi	81
1607 (2005)	21 June 2005	The situation in Liberia	158
1608 (2005)	22 June 2005	The question concerning Haiti	147
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